

Racism, xenophobia and ethnic discrimination in Germany: update report 2009

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RACISM, XENOPHOBIA AND ETHNIC DISCRIMINATION IN GERMANY

UPDATE REPORT 2009

european forum for migration studies (efms)

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Bamberg, October 2009

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This report covers a selection of relevant developments in the field of racism and ethnic discrimination that occurred between January 2009 and October 2009. The structure, style and content of the report are based on the guidelines provided by the EU Agency for Fundamental Rights (FRA) for the RAXEN Complementary Data Collection report.

This report tries to avoid any subjective or unsubstantiated statements; where it contains opinions and/or personal assessments; it expresses only the opinion of the author and does not necessarily reflect the position of the FRA or of the efms.

1. Equality Bodies

1.1 Equality Bodies - complaints data on racial or ethnic discrimination

- [1.] No solid statements on any discernable trends can be made on the basis of the data collected by the federal equality body *Antidiskriminierungsstelle* (ADS) (annex 1, tab. 1-3).¹ The complaint statistics, provided by other (statutory and non-statutory) anti-discrimination bodies and offices show that the number of complaints of ethnic discrimination has increased over the past few years (see annex 1, tab 4-11).

2. Racist violence and crime – exemplary incidents

- [2.] The mainstream media report only occasionally about acts of violence against migrants and minorities. In the following a brief selection of cases that received some media attention is presented.²
- [3.] In mid-May 2009, two young men, aged 17 and 20, lit a pram in the entrance hall of a house in Schönebeck, where mainly **migrant families** live. Several Iraqi family members managed to escape from the fire through the window on the ground floor; three Iraqi children were rescued by fire fighters and were hospitalised later. The 17 year old perpetrator, who had been involved in previous right-wing acts, confessed to the police and admitted ‘a certain aversion towards foreigners’.³

¹ The statutory anti-discrimination office in the state of Berlin, established in 2007, has been systematically collecting complaint data; though only information on the total number of cases (N = 319) in which the body (or one of its network partner organisations) became active in 2008 are permitted to be presented in this report; detailed data are not allowed to be published here due to concerns of the body regarding their validity. According to a representative of the Berlin body, the data collection system at the Berlin state anti-discrimination body has evolved and thus changed over the past few years, which makes comparisons over time or between different grounds of discrimination problematic.

² In some of these cases a xenophobic background is explicitly assumed by the police, in others such a motivation is rejected or not mentioned by the authorities. The selection also seeks to reflect the various forms of (allegedly) racist attacks, ranging from damage of property and arson to bodily harm and murder.

³ Initially the public prosecutor considered the offence a case of arson but is now investigating the crime as a case of damage to property.

- [4.] According to a police press release, a 39 year old woman of Turkish origin was insulted and slapped in the face on 23 June, assumedly because of her **Muslim headscarf**. The attack happened – for no obvious reason – on a bus in Offenbach, when the 60 year old perpetrator was about to get off. The police did not mention any Islamophobic or xenophobic background.⁴
- [5.] The police registered a xenophobic attack on two **Iranian men**, aged 55 and 60, in a subway station in Berlin on 19 September 2009. In the early morning, the two victims were first insulted in a racist manner and then brutally attacked by a group of four people. One of the perpetrators hit and kicked the victims with a pole. After the 60 year old man fell to the ground and lost consciousness, the 26 year old perpetrator kicked against his head. A staff member of the subway company and another witness could prevent further attacks. The perpetrators escaped, but three of them could soon be arrested by the police. The public prosecutor issued a warrant of arrest for attempted murder and severe bodily harm; a xenophobic motivation is assumed.⁵
- [6.] In the late evening of 23 March 2009, two men, aged 29 and 32, shot at a **mosque** in the town Stadtallendorf (Hesse) and tried to set fire with a container filled with petrol and two Molotov cocktails. The arson attack failed because one perpetrator burnt himself when trying to ignite the petrol container. The fire could be extinguished by the chairman of the mosque. The police caught the two men, who both confessed. Showing remorse they publicly apologised to the mayor and announced an apology to the local Turkish Community. They explained they had watched a football game on TV that evening and were frustrated about the defeat of their team; they both got drunk and attacked the mosque to “let off steam”. The public prosecutor considered the offence as a ‘spontaneous’ and hence not politically motivated act arguing that the perpetrators are not affiliated with any extreme right-wing group. While the police, who also found illegal guns in the perpetrators’ homes, do not assume a xenophobic or Islamophobic motivation, the question has been raised as to why the perpetrators picked the mosque for ‘letting off steam’.⁶

Frankfurter Rundschau (13.05.2009); <http://www.mdr.de/sachsen-anhalt/6357574.html> (30.07.2009); press release of the victim support organisation Mobile Opferberatung, available at: <http://www.mobile-opferberatung.de/index.php?lnk=8> (30.07.2009)

⁴ Press report of the Police department Südosthessen on 23.06.2009, available at: www.presseportal.de/polizeipresse/pm/43561/1427683/polizeipraesidium_suedosthessen_offenbach (30.07.2008); S. Weil (2009) ‘Anrempeln ist ganz normal’, in: *Offenbach-Post* (02.07.2009), available at: <http://www.op-online.de/nachrichten/offenbach/anrempeln-ganz-normal-378407.html> (30.07.2009).

⁵ Berlin police department & General Public Prosecutor Berlin, joint press release (no. 2633) on 22.09.2009; M. Behrendt (2009) ‘Drei Berliner nach Angriff auf Iraner verhaftet’, in: *Berliner Morgenpost* (22.09.2009), online available at: http://www.morgenpost.de/berlin/article1175247/Drei_Berliner_nach_Angriff_auf_Iraner_verhaftet.html (23.09.2009).

⁶ Frankfurter Rundschau (31.03.2009), P. D4; H. Kulick (2009) ‘“So etwas Idiotisches”. Rätselraten um Moschee-Anschlag zweier schalke-fans’, in: *Mut gegen rechte Gewalt-Website* (28.03.2009); available at: www.mut-gegen-rechte-

[7.] The xenophobic, **anti-Islamic murder** of an Egyptian woman during a court proceeding in the *Landgericht* [Regional Court] Dresden received a great deal of public attention worldwide and triggered a debate on Islamophobia in Germany. On 1 July 2009, the victim was stabbed – 16 times – to death by the 28 year old man, who was accused of having insulted the headscarf wearing woman in a racist and anti-Islamic manner (“terrorist”, “Islamist”, “bitch”) in August 2008. The woman was in the court room to testify against the accused man in an appeal court proceeding.⁷ After the testimonies were concluded, the man addressed the victim saying that she had no right to be in Germany and that the ‘NPD will put an end to this when they are in power’⁸; then he pulled out a knife and stabbed the woman to death and critically injured her husband, who tried to save her. A police officer, who ran into the court room from next door, accidentally mistook the husband as the attacker and shot him in the leg.⁹ The public prosecutor pressed charges for murder in late August describing the perpetrator’s motive as ‘distinct hatred against non-Europeans and Muslims’.¹⁰

[gewalt.de/news/meldungen/anschlag-auf-moschee-in-stadtallendorf/](http://www.gewalt.de/news/meldungen/anschlag-auf-moschee-in-stadtallendorf/) (30.-07.2009); <http://www.netzeitung.de/servlets/page?section=784&item=1313898> (30.07.2009)

⁷ In the preceding (first instance) trial, the accused man was found guilty of insult and sentenced to a fine. He appealed against the sentence – and so did the public prosecutor after the man had repeated his racist slurs in court saying that ‘such people were no human beings’. The perpetrator was described by the public prosecutor as fanatically xenophobic.

⁸ The NPD (*Nationaldemokratische Partei Deutschland*) is an extreme right-wing party.

⁹ The murder triggered a public debate on Islamophobia in Germany. In Dresden, some 1,500 people gathered to jointly express their solidarity with the victim and their rejections of racism and Islamophobia. The ‘first murderous anti-Islamic attack in Germany’ (The Guardian) sparked fierce reactions in Islamic countries, especially in Egypt, and in the rest of the world. German politicians were criticised for taking very long to react publicly to the racist and Islamophobic murder (K. Connolly, J. Shenker (2009) ‘The headscarf martyr: murder in German court sparks Egyptian fury’, in: *The Guardian* (07.07.2009); available at: www.guardian.co.uk/world/2009/jul/07/german-trial-hijab-murder-egypt (30.07.2009); L. Rischke (2009) ‘Zeugin nach Streit um Schaukel im Gericht getötet’, in *Welt online* (01.07.2009), available at: www.welt.de/vermischtes/article4037645/Zuegin-nach-Streit-um-Schaukel-im-Gericht-getoetet.html (30.07.2009); H. Kulick (2009) ‘Marwas Mörder war NPD-Fan’, in: *Mut gegen rechte Gewalt-Website*, available at: www.mut-gegen-rechte-gewalt.de/news/meldungen/mord-in-dresden-aus-antiislamischer-motivation/ (30.07.2009); K. Schädler (2009) ‘Mord mit islamfeindlichem Hintergrund?’, in *tageszeitung* (06.07.2009), available at: www.taz.de/1/politik/deutschland/artikel/1/mord-mit-islamfeindlichem-hintergrund (30.07.2009), K. Schädler (2009) ‘“Sie hat unser Leben vergoldet”’, in: *tageszeitung* (12.07.2009), available at: www.taz.de/1/politik/deutschland/artikel/1/%5Csie-hat-unser-leben-vergoldet%5C (30.07.2009).

¹⁰ W. Schmidt (2009) ‘“Ausgeprägter Hass auf Moslems”’, in *tageszeitung* (25.08.2009); available at: www.taz.de/1/politik/deutschland/artikel/1/%5CAusgepraegter-hass-auf-moslems%5C/ (25.08.2009); S. Winter (2009) ‘“Bloßer Hass”’, in *Spiegel online* (09.09.2009); available at: <http://www.spiegel.de/spiegel/0,1518,646122,00.html> (14.09.2009).

3. Employment

3.1 Racism and discrimination

3.1.1 Statistical data and tables on incidents of discrimination and racism

- [8.] Local non-governmental anti-discrimination offices in Cologne (ADB Cologne), Berlin (ADNB) and Leipzig (ADB Saxony) registered an increase in the number of labour market related discrimination complaints; the municipal anti-discrimination office AMIGRA in Munich also counted more complaints on employment related discrimination in 2008, though the proportion of all complaints decreased (annex 1, tab. 4-11).¹¹

3.1.2 Exemplary incidents and cases

- [9.] The third FCNM report submitted by Germany in April 2009 refers to the FCNM Advisory Committee's statement in its Second Opinion: Sinti and Roma 'continue to find it more difficult than the rest of the population to gain access to employment due to discrimination against them but also because of a lack of skills linked to existing barriers in equal opportunities in the educational system'.¹²
- [10.] The Anti-Discrimination Network Berlin (ADNB) presented several cases of ethnic discrimination in the access to employment and at the workplace in its recently released *Antidiskriminierungsbericht 2006-2008*. Two of them are briefly described in the following.

¹¹ Whereas these statistics hardly provide any information on most affected victim groups, the fourth ECRI report on Germany makes some references to particularly vulnerable minorities. Highlighting the persisting discrimination against persons with a migration background in the access to employment, the ECRI report pointed out that in particularly 'visible differences – including a person's name – are a significant factor in discrimination (...), especially where such differences are linked to a perceived Muslim or Turkish background; the report also mentions discrimination against female job applicants who wear a Muslim headscarf, black persons who are often rejected instantly and advertisements requiring 'mother-tongue German', which may often constitute a case of indirect discrimination (ECRI (2009) *ECRI Report on Germany (fourth monitoring cycle)*, pp. 22-23).

¹² Germany, Bundesministerium des Innern (2009) *Third Report of the Federal Republic of Germany under Article 25 paragraph 2 of the Council of Europe Framework Convention for the Protection of National Minorities*, p. 60 (no. 04026)

- [11.] A kitchen assistant of south-east Asian origin in a Berlin restaurant complained about continuous **racist verbal attacks**, discriminatory statements and sometimes even physical threats by colleagues. The victim informed his employer about the racist bullying, initiated and stirred mainly by the chef. After internal talks the main perpetrator continued his discriminatory behaviour, reportedly seeking to drive the victim ('little rat') out of the restaurant. The ADNB received complaints about the same perpetrator due to his racist and homophobic threats by two other employees, one of them a man of dark skin. A joint letter of complaint was sent to the employer who then dismissed the chef.¹³
- [12.] Another case of discrimination, described by the ADNB, illustrates that the **headscarf** continues to hamper the access to employment for Muslim women. A woman of Turkish origin applied for the position as an assistant doctor in a hospital run by a Christian organisation; a doctor of Muslim faith, who works at that hospital, had informed her about the vacancy. After her application and a successful interview, the woman received a phone call in which she learnt that she was selected and could start shortly. Then, however, the human resource department of the hospital rejected the application because of her Muslim headscarf. After the woman lodged a complaint together with the ADNB referring to her previous unpaid internship at the same hospital and to her rights to non-discrimination laid down in the AGG, the hospital decided to offer her a temporary position, which the woman accepted. The employers' council expressed, however, its disapproval with the recruitment of a woman with a headscarf. The arbitration body at the Christian organisation that runs the hospital ultimately rejected the woman's application referring to an internal 'decree of loyalty'.¹⁴
- [13.] The following court rulings demonstrate that **xenophobic and anti-Semitic statement** expressed at the workplace may entail employment related consequences. On 7 April 2009, the Upper Administrative Court (OVG) Lüneburg ruled that the dismissal of a 28 year old man who served his training to become a police inspector was justified due to legitimate doubts regarding his eligibility and full allegiance to constitutional principles. This assessment was based on evidence that the would-be inspector repeatedly expressed anti-Semitic statements and insulted his colleague in a xenophobic way by addressing her with slurs like 'fucking Turk' (*Scheißtürke*), 'Turkish cunt' (*Türkenfotze*) and 'Turkish bitch'.¹⁵
- [14.] The labour court in Berlin sentenced an art institute to pay compensation (equivalent of three month wages) to the German claimant, a 48 year old woman, born in the Dominican Republic, due to **indirect ethnic**

¹³ Antidiskriminierungsnetzwerk Berlin (ADNB) Antidiskriminierungsbericht 2006- 2008, p. 12; available at: http://tbb-berlin.de/downloads_adnb/ADNB-Antidiskriminierungsbericht_2006-2008.pdf (30.07.2009).

¹⁴ Antidiskriminierungsnetzwerk Berlin beim Türkischen Bund Berlin-Brandenburg (ADNB-TBB) Antidiskriminierungsbericht 2006-2008, Berlin, pp. 11-12

¹⁵ Lüneburg/Oberverwaltungsgericht/3 B 220/08 (07.04.2009)

discrimination according to the AGG. The art institute had rejected the claimant's job application arguing that German was not her mother tongue. The court regarded this as a case of indirect discrimination on the grounds of ethnic origin without objective justification.¹⁶

- [15.] In March 2009, the *Landesarbeitsgericht* [Regional Labour Court, LAG] Baden-Württemberg held that an employer is bound by the *Betriebsverfassungsgesetz* [Works Constitution Act, BetrVG] and the AGG to take appropriate measures to prevent and sanction severely **racist expressions** of employees. According to the court, a dismissal without notice is a legitimate measure to respond to the anti-Semitic and anti-Turkish, xenophobic slurs smeared by an employee at the wall of the toilet in the company, which was considered a case of incitement to hatred according to Criminal Code (Sec. 130): 'the Jews we solely gassed, the Turks we will turn into district heating'. The judge pointed out that the dismissal without notice is justified especially "if the employer (...) with a high proportion of employees of Turkish origin takes the incident very seriously and wants to signal to the company and the general public that she tolerates by no means such incidents".¹⁷

3.1.3 Research findings

- [16.] In spring 2009, the Allensbach Institute carried out a **representative face-to-face survey** among almost 1,600 migrants of various national origins with a thematic focus on their attitudes and feelings of belonging to the German society.¹⁸ The survey covered, amongst others, issues of perceived and experienced discrimination.¹⁹ Asked about **discrimination** in the labour market, 51 per cent of the respondents (who were currently in employment)²⁰ disagreed with the item that 'everyone has the same chances on the labour market irrespective of his/her origin'; 62 per cent of the respondents of Turkish origin disagreed on this labour market equality item. This general assessment is not always based on *personal* experiences: 23 per cent of all respondents expressed their impression that they have been discriminated against due to their origin on the labour market or at the workplace; among the surveyed migrants with a Turkish background, the proportion of those who experienced employment

¹⁶ see also RAXEN Bulletin I 2009; Berlin/Arbeitsgericht/55 Ca 16952/08 (11.02.2009)

¹⁷ Baden-Württemberg/Landesarbeitsgericht/2 Sa 94/08 (25.03.2009)

¹⁸ Bertelsmann Stiftung (2009) *Zuwanderer in Deutschland. Ergebnisse einer repräsentativen Befragung von Menschen mit Migrationshintergrund*, pp. 67-71; available at: http://www.bertelsmann-stiftung.de/bst/de/media/xcms_bst_dms_29096_29097_2.pdf (31.07.2009)

¹⁹ 46 per cent of all interviewees stated that they had experienced unfair treatment due to their origin. Respondents of Turkish and Greek origin experienced such treatment most often (68 per cent and 56 per cent respectively), followed by migrants of Russian origin (49 per cent)

²⁰ Only those people who were employed or otherwise in employment were asked the questions on labour market discrimination. The following percentage refers only to this respondent subgroup.

discrimination amounted to 33 per cent.²¹

- [17.] Human Rights Watch carried out a qualitative research study on the emotional and employment-related implications of state provisions prohibiting teachers (and partly other civil servants) to **display religious symbols**; such restrictions are in place in eight German *Länder*.²² The study came to the conclusion that these legal bans contravene Germany's international legal obligation and are to be regarded as discriminatory against Muslim women, 'excluding them from teaching and other public sector employment on the basis of their faith'.²³ These restrictions force some Muslim women with headscarves to choose between their job and their religious belief and have made women give up their careers or leave the region or even Germany.²⁴ The report also presents information that suggests that these legal restrictions and the respective public debate have 'aggravated the discrimination against women who wear the headscarf'²⁵ – also beyond the legal scope of these provisions in the private sectors.
- [18.] The research institute *Zentrum für Türkeistudien* [Centre for Studies on Turkey, ZfT] carried out – for the ninth time – a multi-topic survey on the social situation of migrants of Turkish origin in the *Land* NRW and simultaneously – for the first time – in the other German *Länder*. The survey covers, amongst others, the issue of **experienced discrimination**, including the area of employment, which was identified as the most vulnerable social area: every second respondent stated that she/he had experienced discrimination at the workplace (incl. schools and university) and 43 per cent reported about discrimination when looking for work (annex 1, tab. 12-13).²⁶
- [19.] The Brandenburg State Commissioner for Integration presented the preliminary results of an explorative questionnaire based study on the social situation of

²¹ Interviewees also had the opportunity to describe particularly common types of labour market discrimination: the findings of this open question underscore the broad array of different forms of (perceived) unequal treatment ranging from direct discrimination in the application process (e.g. due to lower German proficiency or an accent) and regarding their promotions and dismissals to structural and more hidden forms of unequal treatment (e.g. lacking recognition of occupational diploma obtained abroad, lower payment for same performance, lack of support through education and training).

²² The study, released in February 2009, is based on extensive legal research and a numerous personal and phone interviews, with amongst others, 34 Muslim women affected by these legal state restrictions, officials from state ministries, representatives of academia and the civil society and other (legal) experts.

²³ Human Rights Watch (2009) *Discrimination the Name of Neutrality. Headscarf Bans for Teachers and Public Servants in Germany*, p. 2; available at: www.hrw.org/sites/default/files/reports/germany0209_web.pdf (31.07.2009)

²⁴ Muslim teacher trainees have been denied subsequent employment as teachers after they have completed their training – unless they take off their headscarves. According to the findings of the qualitative interviews, many of the interviewed women feel 'alienated and excluded' (p.3) – although some of them had been living in Germany for decades.

²⁵ Human Rights Watch 2009, p. 50

²⁶ M. Sauer (2009) *Türkischstämmige Migranten in Nordrhein-Westfalen und in Deutschland: Lebenssituation und Integrationsstand. Ergebnisse der neunten Mehrthemenbefragung*, Essen: ZfT, p. 166

major immigrant groups in the region.²⁷ 10.6 per cent of the **Vietnamese** and 7.7 per cent of the **Jewish immigrants** stated that they have been treated less favourable than Germans when applying for a job; 14.8 per cent of the Vietnamese and 5.3 per cent of the Jewish immigrants stated they have been treated less favourable at the Employment Agency, more precisely, they have not been granted certain training measures.²⁸

- [20.] In April 2009, the federal equality body *Antidiskriminierungsstelle* (ADS) published the report *Discrimination in Everyday Life – Perception of Discrimination and Anti-discrimination Policies in our Society*, carried out by the *Sinus Sociovision* Institute. It encompassed qualitative analyses and a representative survey among 2,610 adult persons. The study showed the generally low level of both personal interest in and of awareness of equality policies and individual rights and disclosed widespread irrational fears and negative attitudes towards migrants and Muslims in Germany.²⁹

3.1.4 Additional information

- [21.] Whereas unequal treatment in employment based on one's residence status³⁰ is laid down in several residence and labour law provisions, substantiated instances of differential treatment of third country nationals in employment based on their **citizenship status** could not be identified³¹ – except for the area of civil service which, in principle, only German nationals, EU citizens and EEA nationals are eligible to work in.³²

²⁷ The surveys were carried out among 635 Jewish households with 1,321 persons (December 2008) and 134 Vietnamese households with 433 persons (July 2008), who were identified mainly through a snowball sampling

²⁸ Brandenburg/Ministerium für Arbeit, Soziales, Gesundheit und Familie (2009) *Zur Situation der ehemaligen Vertragsarbeiter und ihrer Familienangehöriger im Land Brandenburg*, p. 33 (unpublished); information on the survey results on Jewish immigrants were provided on request by the Brandenburg State Commissioner for Integration.

²⁹ Asked about specific employment-related anti-discrimination and diversity measures, 51 per cent of the respondents support measures of hiring a more diverse workforce; 39 per cent were indifferent and ten per cent stating disapproval of such approaches. 57 per cent supported the consistent sanctioning of infringements against the principle of equal treatment, which 33 per cent expressing their indifference and ten per cent their disapproval of such anti-discrimination measures. 32 per cent rejected the idea of creating non-denominational prayer and devotional rooms (with 23 per cent supporting this measure).

Antidiskriminierungsstelle des Bundes (2009) *Discrimination in Everyday Life. Perception of Discrimination and Anti-Discrimination Policy in our Society*, Berlin: ADS, pp. 239, 241

³⁰ The forth ECRI report on Germany also mentioned that 'precarious residency status can (...) act as an added barrier for non-citizens seeking access to work or apprenticeships' (ECRI 2009, p. 23)

³¹ It is also worth mentioning, however, that the German anti-discrimination act AGG does *not* prohibit discrimination on the grounds of nationality.

³² Third country nationals can only be employed as civil servants in the exceptional case of an 'urgent official need' (Par. 7 BBG), this exceptional provision is sometimes referred to in the recruitment process of police officers.

- [22.] Racist and xenophobic incidents and ethnic discrimination in employment seem to occur irrespective of one's nationality/citizenship and irrespective of whether the person is an **EU citizen** or a third country national.³³
- [23.] Despite the lack of systematic insights into discrimination on the grounds of **language**, the latest ECRI country report on Germany mentioned that 'advertisements requiring "mother-tongue German" have (...) been reported'³⁴. Such discriminatory ads (see also 3.1.2) create additional barriers in the access to employment for both EU citizens and third country nationals. Unequal treatment of job seekers due to their **religion** is explicitly permitted by law for religious employers: Sec. 9 of the equality law AGG largely exempts churches and religious organisations from the principle of religious non-discrimination.³⁵ These legal loopholes are particularly noteworthy given that the two welfare organisations *Caritas* and *Diakonie*, run by the Catholic and Protestant Church respectively, are among the biggest employers in Germany.³⁶
- [24.] Formal restrictions in the access to the labour market create additional legal barriers primarily for **asylum seekers and rejected refugees** who only hold a temporary toleration certificate (*Duldung*). These refugees are prohibited to work for at least one year upon arrival³⁷; after that, they may receive a work permit – provided the Federal Employment Agency agrees and no German or privileged foreigner can be found for the position in question.³⁸

³³ This assessment is supported by the aforementioned Allensbach survey among migrants and their descendents of different national backgrounds: the findings show that not only respondents of Turkish, Russian or ex-Yugoslavian background but also interviewed EU citizens of Greek, Italian, Spanish and Polish origin reported about unequal treatment due to their (ethnic) origin (Bertelsmann Stiftung 2009, p. 67-69).

³⁴ ECRI 2009, p. 23

³⁵ A church or religious organisation may lawfully request that a job applicant shares the same religion in cases where the respective faith is considered a occupational requirement not only due to the type of work related to a core religious role, but also with respect to the organisation's right to self-determination. The latter reason for exemption leaves room for interpretation and has met with criticism.

³⁶ In December 2007, the labour court in Hamburg ruled in the *Diakonie* court case (Protestant welfare organisation) that this right to self determination permits differential treatment only when the core of the religion is concerned and that Sec 9 AGG is to be interpreted in compliance with the EU Directive (Hamburg/Arbeitsgericht/20 Ca 105/07 (04.12.2007)). The ruling was later taken back by the appeal court – without, however, discussing the controversial issue of exemptions for churches or related organisation. (Hamburg/Landesarbeitsgericht/, 3 Sa 15/08 (29.10.2008)). After the lawyer of the plaintiff intervened, the Federal Labour Court opened the juridical path to appeal against the second instance ruling (Germany/Bundesarbeitsgericht/8 AZN 40/09 (28.05.2009)). The verdict is currently pending.

³⁷ Sec. 61 *Asylverfahrensgesetz* [Asylum Procedure Act, AsylVfG]

³⁸ Sec. 10 (1) *Beschäftigungsverfahrensverordnung* [Decree on Official Procedures Enabling Resident Foreigners to take up Employment, BeschVerfV]. This labour market review is not done for refugee applicants who have been living (tolerated or with the temporary residence status of an asylum applicant) in Germany for at least four years (Sec. 11 (2) BeschVerfV). A work permit must not be issued if the authorities assume that the person has come to Germany in order to receive social benefits or that he has deliberately disguised his national identity to

- [25.] Germany has not yet fully opened its national labour market for employees³⁹ from Central and Eastern European member states. The legal **restrictions on labour mobility** have been expanded to 2011 for nationals from Poland, the Czech Republic, Slovenia, Slovakia and the three Baltic states and to 2013 for Romanian and Bulgarian nationals. This affects *all* nationals from these countries, including Roma.
- [26.] New developments regarding **statistical data on ethnic origin** or ethnic monitoring have not occurred lately. As laid down in the recently adopted Census 2011 Act, the next census in 2011 will, for the first time, gather data on the migration background and national origin.⁴⁰ Following a decision of the standing committee of state ministries of education (KMK) in May 2003, the **school statistics** are currently being enhanced in many *Länder*: whereas all *Länder* have managed to introduce a data collection system based on individual data sets, only some of them (e.g. Brandenburg, Bavaria, Hesse, Baden-Württemberg) have expanded the scope of the data collection to the migration related variables such as 'year of immigration' and 'language spoken in the family'.⁴¹
- [27.] In June 2008, the large **trade union ver.di** (service industry) passed a decree which formally recognises migrants as an official group within the trade union structures and encourages them to become more active in the trade union. With this enhanced status, which gives migrant unionists a stronger voice within the decision-making structures of the trade union, migrant union members are now entitled to establish their own migrant committees on the regional, state and national levels. These committees are expected to contribute to a greater awareness and consideration of migrant related issues in the trade union and in the broader public; they can organise independently specific trainings and information events, disseminate position papers and other materials.⁴²

avoid being deported from Germany (Sec. 11 BeschVerfV).

³⁹ This restricted access to the labour market (freedom of movement for workers) does not refer to self-employed persons who want to open a business in Germany or to those businesses in the country of origin which offer their services in Germany.

⁴⁰ According to Sec. 3 and 7 of the recently adopted Census 2011 Act (ZensG 2011), the national census will collect data not only on citizenship, country of birth and country of origin, but also (within the scope of a household survey) on migration background (immigrated him-/herself or parent(s) after 31 December 1955), previous place of residence abroad and year of arrival in Germany (of surveyed person or his/her parent(s)); moreover, data on religious affiliation (mandatory for those of the Christian Churches and voluntary for those of other religions) will be gathered through the household survey in 2011.

⁴¹ Information provided by a KMK representative on NFP query on 4 August 2009.

⁴² The ver.di decree is online available at: http://migration.verdi.de/richtlinie_satzung/data/richtlinie_migranten_-migrantinnen- 06-2008.pdf (04.08.2009); see also: ver.di (2009) *Migration. Informationen für Migrantinnen und Migranten* (Ver.di Migration), November 2008; available at: <http://migration.verdi.de/material/data/November%202008> (04.08.2009)

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4. Housing

4.1 Racism and discrimination

4.1.1 Statistical data and tables on incidents of discrimination and racism in housing

- [28.] The complaint statistics of local and regional anti-discrimination offices do not indicate a certain trend regarding discrimination in the realm of housing (annex 1, tab. 4-11).

4.1.2 Exemplary incidents and cases

- [29.] The forth ECRI report on Germany quotes NGOs pointing to ‘discriminatory practices of landlords and property managers, based for example on a person’s name or on their fluency in German’. Moreover, ECRI mentions that ‘cases in which rooms are advertised as available only for mother tongue German speakers only’ were reported.⁴³
- [30.] The Berlin-based anti-discrimination office ADNB reported about a ‘relatively new development’⁴⁴: **lacking German proficiency** is used as an argument for rejecting migrants looking for a flat. The native German complainant, who works for a nursing agency, tried to assist one of her clients, an elderly patient of Turkish origin who hardly speaks German, in finding a new flat. When calling the housing administration on behalf of her patient, she was explicitly told by an employee that flats are not rented out to persons with lacking German skills as that they can neither read nor understand the rental contract; thus an appointment to look at the flat would be pointless. The argument that the woman’s son as well as the nursing agency would look after the woman and translate everything was rejected: according to the housing company employee, every tenant needs to meet the basic requirement of being able to read and understand the contract. The manager of the housing administration repeated this argument – even after being reminded by the ADNB of the respective AGG provisions.
- [31.] On 17 March 2009, the *Landgericht* [Regional Court] Aachen rejected the

⁴³ ECRI 2009, p. 24

⁴⁴ Antidiskriminierungsnetzwerk Berlin (ADNB) (2009) Antidiskriminierungsbericht 2006- 2008, Berlin, pp. 13-14; available at: http://tbb-berlin.de/downloads_adnb/ADNB-Antidiskriminierungsreport_2006-2008.pdf (30.07.2009)

discrimination claim of a German family of African origin who sued the head of an estate management company, because they had been refused to look at a flat offered for rent in September 2006. According to the claimant, the care-taker of the building, who was supposed to show would-be tenants the flat, rejected the family explicitly because of their African origin: the German African family claimed that the care-taker stated when opening the door and seeing the family that ‘the flat will not be rented out to negroes... black Africans and Turks’ – referring to instructions of the estate management company. After the rejections the claimant phones the estate management company where an employee confirmed what the care-taker had said and explained that due to bad experiences with black African tenants the company would not rent out to Africans anymore. During the court proceedings, the accused head of the housing company denied having given such instructions. Due to formal reasons the court rejected the claim without determining whether an unlawful case of discrimination occurred or not.⁴⁶

4.1.3 Research findings

- [32.] The NGO Planerladen published the results of an explorative **discrimination testing** project on the housing market, carried out between July 2007 and June 2008. In seven cities in **North Rhine-Westphalia** (NRW), 482 flat advertisements, posted in regional newspapers, were tested by two matched testers, one of them “German”, the other one of “Turkish” origin; the contact with the gatekeepers was made via phone. Whereas in 79 per cent of the cases both testers received the same response, in 90 cases (19 per cent), the “Turkish” tester was treated less favourably; the “Turkish” tester received double as many rejections as the “German” tester.⁴⁷
- [33.] Another discrimination testing with a different methodological approach, conducted in 2008 in **Berlin**, confirmed that applicants with a Turkish name face discriminatory barriers in the access to housing – especially in middle-class neighbourhoods, less in multi-ethnic districts.⁴⁸

⁴⁵ The court ruled that the estate management company is not the right party to be sued as the contractual partner of a possible lease would be the owner of the flat and not the defendant. According to the court, the estate management company is not obliged to disclose the contact details of the owner to the claimants.

⁴⁶ Germany/Landgericht Aachen/8 O 449/07 (17.03.2009); the verdict is available in German at: www.justiz.nrw.de/nrwe/lgs/aachen/lg_aachen/j2009/8_O_449_07urteil20090317.html (05.08.2009)

⁴⁷ Planerladen e.V. (2009) *Ungleichbehandlung von Migranten auf dem Wohnungsmarkt. Ergebnisse eines telefonischen “Paired Ethnic testings” bei regionalen Immobilienanzeigen*, available at: [www.planerladen.de/50.html?&tx_ttnews\[tt_news\]=208&tx_ttnews\[backPid\]=7&cHash=080c4f6dd8](http://www.planerladen.de/50.html?&tx_ttnews[tt_news]=208&tx_ttnews[backPid]=7&cHash=080c4f6dd8) (22.08.2009)

⁴⁸ This testing was carried out within the scope of the diploma thesis of the university graduate Emsal Kilic. She tested 200 vacancy ads in two Berlin neighbourhoods, the middle-class

- [34.] According to the findings of the **multi-topic survey** of the ZfT (see 3.1.3), housing continues to be a social areas where many migrants of Turkish origin experience discrimination: four out of ten respondents reported about discrimination when trying to find a flat; about one fourth of all respondents experienced discrimination in their immediate neighbourhood (annex 1, tab. 13).⁴⁹
- [35.] According to the explorative regional survey, commissioned by the Brandenburg State Commissioner for Integration (see 3.1.3), 12.9 per cent of the surveyed Vietnamese and 4.0 per cent of the Jewish immigrants report about less favourable treatment (compared to Germans) by landlords when trying to find a flat.⁵⁰

4.1.4 Legal restrictions to access to housing

- [36.] No development regarding the legal and practical restrictions for asylum seekers, non-recognised refugees with a toleration certificate (*Duldung*) and undocumented migrants occurred in 2009 (see RAXEN CDC Report 2008).
- [37.] The German equality law AGG contains exceptional provisions that explicitly allow unequal treatment in the access to housing where it aims ‘to create and maintain stable social structures regarding inhabitants and balanced settlement structures, as well as balanced economic, social and cultural conditions’.⁵¹ In August 2008, the CERD officially expressed its concerns ‘about the possible negative effects [of this provision] in terms of indirect discrimination on the grounds of ethnic origin’.⁵²

Wilmersdorf and the multi-ethnic Neukölln, via email. In Wilmersdorf, the “Turkish” applicant received not a single positive responds, whereas “German” applicants received six answers to their email queries. The results of the testing have not been published, but several national newspapers reported about it (e.g. S. Puschner (2009) ‘Ein deutscher Name ist die halbe Miete’, in *tageszeitung* (05.12.2008); available at: <http://www.taz.de/regional/berlin/aktuell/artikel/1/ein-deutscher-name-ist-die-halbe-miete/> (05.08.2009); R. Schönball (2009) ‘Ausländischer Name – keine Wohnung’, in *Tagesspiegel* online, available at: www.tagesspiegel.de/berlin/Diskriminierung:art270.2682476 (05.08.2009); I. Jürgens (2009) ‘Wohnungssuche fällt mit deutschem Namen leichter’, in *Berliner Morgenpost* (23.12.2008), online available at: http://www.morgenpost.de/berlin/article1004035/Wohnungssuche_faellt_mit_deutschem_Namen_leichter.html (05.08.2009)).

⁴⁹ Sauer 2009, p. 166

⁵⁰ Brandenburg/Ministerium für Arbeit, Soziales, Gesundheit und Familie 2009, p. 33 (unpublished); information on the survey results on Jewish immigrants was provided on request by the Brandenburg State Commissioner for Integration.

⁵¹ Sec. 19 (3) AGG

⁵² United Nations/CERD (2008) *Consideration of reports submitted by state parties under article 9 of the Convention. Concluding Observations*, no. 17 (CERD 2008)

This AGG provision has also been subject to the EU Commission’s procurement infringement proceeding against Germany due to the insufficient transposition of the Racial Equality Directive. The Federal Government described this the Commission’s criticism as ‘not

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justified' (Germany, Bundesministerium des Innern (2009) *Third Report of the Federal Republic of Germany under Article 25 paragraph 2 of the Council of Europe Framework Convention for the Protection of National Minorities*, p. 45)

5. Health care

5.1 Racism and discrimination

5.1.1 Statistical data and tables on incidents of racism and discrimination

- [38.] Only some anti-discrimination offices (e.g. ADNB, ADB Saxony) register cases of discrimination the area of health as a separate category. The statistics indicate that migrants and minorities experience discrimination in the health system less often than in most other social realms. Substantiated statements on any trends are not feasible – also due to the very low number of complaints (Annex 1, tab. 4, 9).

5.1.2 Exemplary incidents and cases

- [39.] The ADNB provided information on the following case of discrimination: a woman of Turkish origin asked for an appointment at a neurologist in Berlin for herself and her 86 year old mother. When the medical assistant asked about the mother's German proficiency and learnt that the mother does not speak German and that the daughter would therefore accompany her to translate, the assistant refused to make an appointment – referring to her employer's instructions. The medical assistant repeated this order twice during subsequent phone talks with the daughter and her mother's general doctor, who had transferred the mother to the neurologist. The anti-discrimination office ADNB sent a letter of complaint to the neurologist, the *Ärztetammner* [Medical Council] and the *Kassenärztliche Vereinigung* [Associations of Statutory Health Insurance Physicians]. The outcome of the complaint has not been shared with the ADNB, allegedly due to data protection reasons.⁵³

5.1.3 Additional information

- [40.] As described in the RAXEN annual reports 2007, **legal obstacles** in the access to health services affect in particular asylum applicants, rejected asylum seekers

⁵³ Information on this incident was provided on NFP request by the ADNB; the Berlin-based anti-discrimination office also reported about a second case of discrimination against a woman of Turkish origin, who was verbally harassed by a doctor because of her headscarf.

with a toleration certificate and undocumented migrants.⁵⁴

- [41.] The often lacking information on health services in **languages of minorities and migrants**⁵⁵ create additional barriers in the access to health care for migrants with low German proficiency; these migrants are also affected by the general lack of non-German (mother tongue) health offers.⁵⁶ Information about the services of **welfare organisations** in minority or migrant languages is not consistently available and can only be found on the websites of some local or regional branches of welfare organisations, especially in those located in multiethnic neighbourhoods of large cities (e.g. Berlin, Frankfurt). A few municipal health departments (e.g. Stuttgart, Bremen) offer multi-lingual information services on the (local) health system.⁵⁷
- [42.] In addition to these language related barriers, **information deficits** among migrants⁵⁸ and the **lacking intercultural orientation** of the German health system are among the factors⁵⁹ that contribute to a below average use of health services, in particular of preventive examinations and treatments (e.g. vaccinations). Such an assessment is shared by various experts as well as by the federal government.⁶⁰
- [43.] Third country nationals are legally banned from being granted **approbation**, the

⁵⁴ A legal amendment that enables undocumented migrants to get treatment in hospitals without being reported to the municipal department for foreigners' affairs (which is also in charge of deportation) is presented as a good practice initiative in annex 2.

⁵⁵ The explorative pilot study on the health service for migrants with a chronic illness and/or disability, carried out by the foundation *Lebensnerv* in Berlin, suggests that special offers for migrant patients and general services in languages other than German are provided only rarely by relevant health care organisations. Among the 42 surveyed organisations that completed the questionnaire only ten provided special offers for migrants and only 11 provided information in other languages, mostly Turkish, followed by English, Polish and Russian (Stiftung Lebensnerv (2009) *Zugangswege in der Beratung chronisch kranker / behinderter Menschen mit Migrationshintergrund. Eine Feldstudie*, Berlin).

⁵⁶ According to a recently release expert report of the Konrad Adenauer Foundation, only 36 Turkish doctors practice in Hesse; especially Turkish specialist are extremely rare; there is, for instance, not a single Turkish neurologist, urologist and dermatologist (M. Kipper and Y. Bilgin (2009) *Migration und Gesundheit*, Sankt Augustin/Berlin: Konrad-Adenauer-Stiftung, pp.78-79).

⁵⁷ It is noteworthy that on the national level, the Federal Commissioner for Integration published an information flyer on the swine flue in eleven languages on her website in July 2009. For more good practice initiatives see annex 2.

⁵⁸ According to the findings of a non-representative survey among 348 migrants in Brandenburg (2008), more than half of the surveyed migrants stated that they do not feel well informed about the German health system (Brandenburg, Ministerium für Arbeit, Soziales, Gesundheit und Familie (2009) *Zuwanderung und Integration im Land Brandenburg. Bericht der Integrationsbeauftragten des Landes Brandenburg 2009*, p. 78).

⁵⁹ The non-representative survey in Brandenburg in 2008 discovered similar (access) barriers to and within the health care system (Brandenburg, Ministerium für Arbeit, Soziales, Gesundheit und Familie 2009, pp. 77-79); Germany, Bundesministerium für Familien, Senioren, Frauen und Jugend (2009) 13. *Kinder- und Jugendbericht. Bericht über die Lebenssituation junger Menschen und die Leistungen der Kinder- und Jugendhilfe in Deutschland*, p. 87

⁶⁰ Knipper/Biligin 2009, pp. 66, 70-71; Germany, Bundesministerium für Familien, Senioren, Frauen und Jugend 2009, pp. 86, 98-99

official certificate for medical doctors. A core prerequisite for this entitlement to exercise the medical profession is to hold German citizenship or citizenship of another EU or EEA member state (Sec. 3 *Bundesärzteordnung* BÄO). This provision also concerns those third country nationals who have studied and/or successfully obtained their degree at a German university. Instead of an official approbation, third country national doctors may be granted a permission to work as practitioners in Germany for a limited period (usually four years); this permission can be subject to further restrictions (Sec. 10 BÄO).⁶¹ The time restriction of maximum four years may be waived for those third country national doctors who are recognised refugees, who hold a permanent residence permit (*Niederlassungserlaubnis*), who are married to a German, EU or EEA citizen or those whose naturalisation application is pending for reasons they are not responsible for (Sec. 10 (3) BÄO).

5.1.4 Research findings

- [44.] A quantitative pilot research study on patients with depression symptoms in 24 psychiatric hospitals in Baden-Württemberg illustrated the impact of the patients' **German proficiency** on the **effectiveness of the treatment**. Controlling for age, gender and education, the researchers compared three groups, (1) native patients, (2) non-native patients with good German skills and (3) those with limited German proficiency; they found that those with poor German skills were discharged earlier than the other two groups – and significantly more often with lingering depressive symptoms. The non-natives with good proficiency occupy an interim position between the other two groups. The researchers concluded that linguistic factors affect the duration, the type and the effectiveness of depression treatment.⁶²
- [45.] Researchers at the university clinic in Düsseldorf qualitatively examined the **experiences of black patients** from the Democratic Republic of Congo with (white) medical practitioners. Two focus group discussions with altogether 33 people were held and systematically analysed. The participants criticised the hectic and unfriendly behaviour of medical staff as well as the lack of respect towards the black patients and the insufficient knowledge of diseases that are common in Africa. Moreover, the participants clearly expressed experiences of racism and ethnic discrimination, sometimes intertwined with other forms of

⁶¹ Knipper/Biligin 2009, p. 79-80.

According to the latest statistics of the Federal Bundesärztekammer, 10,800 third country nationals work as doctors in Germany; the total number of non-German doctors amounts to 21,784. The figures indicate an upward tendency of 6.6 per cent for all non-German doctors, 9.1 per cent for doctors from EU countries, 7.2 per cent for non-EU European doctors, 7.8 per cent for African doctors and 4.2 per cent for Asian doctors (<http://www.bundesaerztekammer.de/page.asp?his=0.3.7128.7136>, (24.08.2009).

⁶² I. Bermejo, L. Kriston, M. Berger and M. Härter (2009) 'Patients' Language Proficiency and Inpatient Depression Treatment in Baden-Württemberg (South Germany)', in: *Psychiatric Services*, No. 60 (April 2009), pp. 545-548

discrimination (e.g. on the grounds of social status).⁶³

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⁶³ H. Gerlach; N. Becker, A. Fuchs, A. Wollny and H.-H. Abholz (2008) 'Diskriminierung von Schwarzen aufgrund ihrer Hautfarbe? Ergebnisse von Focusgruppendifkussionen mit Betroffenen', in: *Gesundheitswesen*, No. 70 (1), pp. 47-53

6. Education

6.1 Statistical data and tables on racist incidents

- [46.] According to the reporting scheme on **violent incidents** at Berlin schools, 33 of all 1,632 reported incidents were categorised as (right-wing) extremist incidents in the school term 2007/08; this represents the lowest number ever since the introduction of the reporting scheme (annex 1, tab. 14).
- [47.] According to a special analysis of the police statistics on **extreme right-wing crimes** at schools in Saxony-Anhalt, 187 crimes committed with a political right-wing motivation (including three xenophobic offences) were counted in the school year 2007/08 – 80 more than in the previous school year (annex 1, tab 15).
- [48.] The complaint statistics of some local anti-discrimination offices (ADB Köln, AMIGRA) show a growing number of complaints on **ethnic discrimination** in education (annex 1, tab. 5-7, 11).

6.2 Exemplary cases of discrimination

- [49.] The anti-discrimination office ADNB reported about the following incident.⁶⁴ In a vocational school in Berlin, the teacher said to a **student of Muslim background** during class: ‘Go back to your Allah, Mohammed or wherever you belong’. The student and several classmates complained and requested an apology, which the teacher refused to offer. Oral and written complaints to their main teacher and the head of the school unit remained fruitless. Despite the ADNB’s efforts, the talks with the teacher and other school representatives did not lead to a satisfying outcome.

6.3 Restrictions to access to education

- [50.] The Baden-Württemberg state parliament passed an amendment to the state school law expanding **mandatory schooling** to children whose asylum application is pending and those with a toleration status (*Duldung*) (Sec. 72 (1) SchG); compulsory schooling starts six months after entering Germany. The amendment came into force in November 2008. Hesse is now the only *Land* where refugee children with a *Duldung* are exempted from the obligation to

⁶⁴ ADNB 2009, p.17

attend school.⁶⁵

6.4 Special measures for persons belonging to national minorities

[51.] In Germany, four minority groups are officially recognised under the Framework Convention for the Protection of National Minorities (FCNM), which has been in force in Germany since 1 February 1998: the Danish minority, the Sorbs, the Frisians and the German Sinti and Roma. Germany also ratified the European Charter for Regional and Minority Languages (in force since 1 January 1999), which seeks to protect the minority languages of the recognised FCNM minority groups, including Romany, the language of the Sinti and Roma.⁶⁶

[52.] According to Sec. 13 of the FCNM, the four national minorities have the right to set up and to manage their own private **educational establishments**.⁶⁷ In practice, this right has only been made use of by the Sorbs and the Danish minority, who run schools and preschools⁶⁸; Sinti and Roma representatives oppose Sinti/Roma schools.⁶⁹ The minority members' rights to learn their **minority language** (Art. 14 FCNM) is realised not only within minority schools (Sorbs and Danish minority), but also through supplementary language lessons offered in some public (pre-)schools in certain regions. This does, however, not apply to the Romany language, which is – as requested by Sinti and Roma organisations – not being taught at school (with only very few exceptions in Hamburg, see below).⁷⁰

⁶⁵ The bill is available at http://www.landtag-bw.de/wp14/drucksachen/3000/14_3254_d.pdf (12.08.2009)

⁶⁶ Romany is, in contrast to the other recognised minority languages, only subject to general protection according to Part II of the Charter. Beyond the general commitment of the federal government to protect the language *Romany*, only the State government in Hesse has introduced 35 concrete obligations on the practical protection and promotion of *Romany*, e.g. on the use of Romany in official applications in public service providers (Bundesministerium des Innern (1999) *Europäische Charta der Regional- oder Minderheitensprachen*).

⁶⁷ The right to establish private schools is also enshrined in the German Constitution (Art. 7 (4) GG).

⁶⁸ In 2008, the CERD expressed its concerns about the 'fragile situation of the Sorbian school network in the Länder of Saxony and Brandenburg, caused in part by falling school enrolment, which may have an impact on the general principle of the use of minority languages in the school system' (CERD 2008, no. 24).

⁶⁹ Germany, Bundesministerium des Innern (2009) *Third Report of the Federal Republic of Germany under Article 25 paragraph 2 of the Council of Europe Framework Convention for the Protection of National Minorities* (nos. 13010, 14076-14077) [cited as: Germany/BMI 2009].

⁷⁰ Germany/BMI 2009, no. 14078; Germany, Bundesministerium des Innern (2007) *Third Report of the Federal Republic of Germany pursuant to Art. 15, paragraph 1 of the European Charter for or Regional and Minority Languages* (No. 4003) [cited as Germany/BMI 2007]. According to No. 4016 of this government report, Roma from east Europe can participate on a

- [53.] A system of regular checks of **textbooks and teaching material** regarding a possibly negative depiction of Sinti and Roma is not in place. However, various teaching materials on the Sinti and Roma and their history have been developed, partly by or in cooperation with Sinti and Roma organisations.⁷¹
- [54.] In general, textbooks and teaching material used in schools must be authorised by the competent state ministries in charge of education. Prior to this authorisation, specific expert commissions formally assess and check textbooks regarding their compliance with the Constitution, other legal provisions, the respective state school curricula and their didactic and linguistic suitability.⁷² Specific assessment mechanisms for the representation of migrants and minorities in textbooks or teaching materials are not in place. However, several standing expert commissions have been installed in bilateral cooperation to analyse textbooks in terms of particularly sensitive issues (e.g. German Polish Schoolbook Commission since 1972; German-Czech Schoolbook Commission since 2002): these commissions aim to ensure an accurate presentation of the other country and its people in textbooks. Based on a Lower Saxony state law the *Georg Eckert Institut* was established in 1975, commissioned to conduct scientific analyses of school books and to draft recommendations on the assessment and revision of the content of textbooks.⁷³ Since 2005, this institute has been carrying out a research project that deals with the images of Muslims and the Islamic world in educational material in Germany, Austria and Switzerland.⁷⁴

Good practices

- [55.] Against the background of the general opposition of Sinti and Roma to the inclusion of the Romany language into the general school system as well as to the establishment of their own educational institutions, **good practice initiatives** are mostly carried out as supplementary offers, provided by Sinti and Roma representatives, within the existing school system.

voluntary basis in Romany lessons at schools in Hamburg.

⁷¹ The Heidelberg-based Documentation Centre of German Sinti and Roma, for instance, developed, together with state association of Sinti and Roma in several *Länder*, teaching materials for schools and other educational institutions, which impart information on, amongst others, the history of Sinti and Roma in Germany and help to discuss persistent prejudices and stereotypes. Moreover, the Federal Agency for Civic Education (BpB) provides 'tailored services [...] as well as teaching materials and scientific information for civic education multipliers such as teachers' on, amongst many other topics, the national minority of Sinti and Roma, their history and current situation in Germany and Europe (Germany/BMI 2009, nos. 06022, 06033).

⁷² Decree on the authorisation of school textbooks, decision of the standing committee of state ministers of education (KMK) on 29.06.1972; available at: www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/1972/1972_06_29_Schulbuecher_Genehmigung.pdf (26.10.2009).

⁷³ Niedersachsen, Gesetz über die Gründung des Georg-Eckert-Instituts für internationale Schulbuchforschung am 26. Juni 1975 (Niedersachsen/NdsGVBl. 36 (1977) 485 (10.10.1977)).

⁷⁴ www.gei.de/en/research/images-of-the-self-and-of-the-other/focus-1.html (26.10.2009)

- [56.] The much-praised 2005 framework agreement between the state government of **Rhineland-Palatinate** and the state association of German Sinti and Roma contains the self-obligation of the government to support the state association in providing supplementary offers in preschool, school or university – with the aim to preserve the culture and language of the minority (Art 2).
- [57.] In the *Land Hamburg*, six Roma teachers and social workers provide assistance to students at eight primary and secondary schools with a significant number of Roma students⁷⁵; the Roma teachers, who primarily impart the culture and art of Sinti and Roma, receive professional on-the-job training by *Landesinstitut für Lehrerbildung und Schulentwicklung* [State Institute for Teacher Training and School Development]. In addition, several Sinti social workers offer homework assistance to Sinti students in two Hamburg schools⁷⁶, partly financially support by the *Land Hamburg* (e.g. Rom and Cinti Union). In **Bavaria**, Sinti and Roma children at a primary school in Nuremberg are offered homework assistance and tutoring in the Romany language, coordinated by the Bavaria state association of German Sinti and Roma and funded by the Bavarian State Ministry of Education. Moreover, the children learn about the culture of Sinti and Roma.⁷⁷
- [58.] The specialised body *Pädagogisches Büro Nationale Minderheiten: Sinti und Roma* [Educational Bureau for National Minorities: Sinti and Roma] in Marburg, established in 1998 in corporation with the **Hesse** state association of German Sinti and Roma, has been engaged in developing educational materials on the history and present life situation of Sinti and Roma, providing advanced teacher training and supporting schools in organising projects on Sinti and Roma.⁷⁸

6.5 Good practices: Key policy and practical initiatives by civil society and government

⁷⁵ According to the Third Report of the CoE Committee of Experts, supplementary lessons to teach the Romany language is set up in Hamburg schools if at least five students request such additional tuition (Council of Europe (2008) *European Charter for Regional or Minority Languages. Application of the Charter in Germany. 3rd monitoring cycle, Report of the Committee of Experts on the Charter* (par. 58); available at: www.coe.int/t/dg4/education/minlang/report/EvaluationReports/GermanyECRML3_en.pdf (22.09.2009) [cited as: CoE 2008]

⁷⁶ Germany/BMI 2009, nos. 12134, 14078

⁷⁷ Germany/BMI 2009, no. 14081, CoE 2008, no. 59

⁷⁸ Hessischer Landtag; Drucksache 16/7691 (09.10.2007); Germany/BMI 2009, nos. 12138-12140

7. Participation of minorities in public life

7.1 Respecting the right to identity and promoting mutual understanding

Constitutional freedom rights

- [59.] Only very little information is available on restrictions of the freedom of assembly, association, expression, thought, conscience and religion. In individual instances, asylum seekers, whose freedom of movement is legally restricted according to Sec. 58 AsylVerfG (Asylum Procedure Act), have been inhibited by the authorities from attending public demonstrations (against the living and housing situation of refugees) by rejecting their requests for an exceptional permission to leaving their district.⁷⁹

Restrictions for religious or ethnic minorities

- [60.] The NGO Human Rights Watch criticised the legal provisions that ban teachers and, in Hesse and Berlin, civil servants from wearing religious symbols: in effect, these state provisions cause difficulties only for Muslim women wearing a headscarf and may force them to choose between their jobs and their **religious belief** (see 3.1.3).⁸⁰
- [61.] In the school year 2007/08, several Muslim students in a high school in Berlin-Wedding were **prohibited to pray** during their lesson breaks; the school argued that their praying would impair the neutrality of the school. The parents of one of the students took legal action against the ban – and were successful: the administrative court in Berlin held in a preliminary ruling in March 2008 and in the final ruling in September 2009 that the school must allow the student to pray during lesson breaks once per day.⁸¹
- [62.] Media reports in August and September 2009 drew public attention to another

⁷⁹ In June 2009, for instance, the local authorities refused to grant exceptional permissions to those refugees from northern Bavarian districts who sought to attend a demonstration in Munich against the obligation to live in asylum accommodation centres instead of regular flats. Several refugee organisations described this as a violation of the constitutional right to assembly and the freedom of expression (Press release of the Bavarian Refugee Council (11.06.2009), available at: www.fluechtlingsrat-bayern.de/beitrag/items/fluechtlinge-duerfen-nicht-zur-demo-gegen-fluechtlingslager.html (14.08.2009).

⁸⁰ These provisions may be regarded as objectively justified, but they restrict the right of a certain group of Muslim women to express their religion.

⁸¹ Berlin/Verwaltungsgericht Berlin (10.03.2008), VG 3 A 983.07; Berlin/Verwaltungsgericht Berlin (29.09.2009), VG 3 A 984.07. Due to the principle significance of this matter, the court allowed the appeal against the verdict.

structural barrier in the school **enrolment** of Muslim children in the *Land* NRW. Of the approximately 3,500 primary schools in NRW, about 1,000 are (publicly funded) Catholic religious schools (*Bekenntnisschulen* according to the NRW state constitution, Art 12), which accept non-Christian students only if they have free capacities. In previous times, this limitation did not seem to have caused significant access barriers for Muslims. This changed, however, with the introduction of a new regulation that allows parents to choose freely which school they want to enrol their child in. In effect, these Catholic religious schools, especially those whose capacities fill up quickly, treat Muslim and other non-Catholic children less privileged and favour Catholic students – which may result in a stronger concentration of Catholic children in Catholic schools and Muslim children in other schools.⁸²

- [63.] In contrast to the Protestant and Catholic Church as well as some Christian minority churches and several Jewish organisations, no Islamic organisation has been granted the **legal status** of a publicly recognised corporation (*Körperschaft öffentliche Rechts*). This lacking recognition entails a less privileged status of Muslim associations compared to Jewish and Christian communities and may entail a series of difficulties and structural problems in practicing their religion, for instance, regarding establishing Islamic cemeteries, building mosques and setting up Islamic religious lessons in public schools.⁸³
- [64.] Defendable evidence that minorities encounter systematic difficulties when registering **cultural association** fostering their heritage could not be identified.

Ethnic diversity and minority cultures

- [65.] On numerous occasions, leading politicians have underscored the positive aspects of migration and **ethnic diversity** for the German society. In May 2009, for instance, the Chancellor Merkel invited 16 newly naturalised migrants to the Chancellery – also to emphasise that immigration has been an ‘enrichment for our country’.⁸⁴

⁸² The administrative court Düsseldorf ruled that the schools’ selection mechanisms, i.e. the unequal treatment due to one’s religious background, is unlawful, hence catholic religious schools must not reject Muslim students because of capacity reasons. This ruling, however, has not become legally binding and has thus not been applied. The state government released a statement supporting the favorable treatment of Catholic students. The school expert of the political opposition party SPD in the NRW state parliament, Hendricks, criticised the disadvantageous treatment of non-Catholic students and called for a selection procedure that is primarily based on the criterion of ‘living in the vicinity of the school’ (www.renate-hendricks.de/index.php?nr=20726) (14.09.2009).

⁸³ T. Lemmen (2001) ‘Islamische Religionsausübung in Deutschland’, in: T. Lemmen & M. Miehl (eds.) *Islamisches Alltagsleben in Deutschland*, Bonn: FES, p. 59

⁸⁴ http://www.bundesregierung.de/nn_670562/Content/DE/Podcast/2009/2009-05-09-Video-Podcast/2009-05-09-video-podcast.html (25.08.2009)

Similar statements have been made by leading politicians and government representatives within the context of high-level integration events, such as the German Islam Conference or the Integration Summits, and within the National Integration Plan, coordinated by the federal

[66.] Several institutionalised **platforms for regular interaction** between migrant organisations and representatives of the government are in place; the following three examples have all been established at the federal level:

- Between 2006 and 2009 the **German Islam Conference**, initiated by the Federal Ministry of the Interior (BMI), brought together representatives of various Muslim organisations, the government and other experts to discuss issues related to Islam and the integration of Muslim migrants.⁸⁵
- The national round table **Forum Against Racism**, established in 1998 and coordinated by BMI, is a platform for about 90 organisations, among those 60 NGOs (including numerous migrant organisations), to promote regular interaction between governmental and non-governmental representatives on racism, racial discrimination and migrant integration.⁸⁶
- The parliamentary **working group on minority issues** (*Arbeitskreis für Minderheitenfragen beim Deutschen Bundestag*) at the parliamentary committee for interior affairs consists of several MPs and representatives of the four national minorities; it aims at enhancing the dialogue between the parliament and the minorities. In addition, a platform of communication between the Secretariat for Minorities (*Minderheitensekretariat*) at the federal ministry of the interior (established in 2005)⁸⁷ and the Minority Council, the umbrella organisation of all four national minorities (set up in 2004, see 7.3), is in place.⁸⁸

[67.] There are numerous initiatives at the national and, even more so, on the regional and local level that aim at taking **minority cultures** into account (see also 7.3). Many municipal authorities, for example, seek to cater for the needs of their multi-ethnic clientele – either by increasing the number of staff with a minority or migration background (e.g. Frankfurt) or by providing further training to the existing staff members on intercultural communication (e.g. Stuttgart).⁸⁹ Many city administrations have underscored the positive recognition and promotion of an ethnically diverse workforce by adopting the *Charter of Diversity* and

commissioner for integration. In addition to such statements, the federal government has initiated several funding programmes and the business-oriented diversity campaign ‘Diversity as an Opportunity’ (including the Charter of Diversity) which also send out the message that migrants and ethnic diversity have a positive impact on the society and within the workplace.

⁸⁵ www.deutsche-islam-konferenz.de

⁸⁶ www.bmi.bund.de/SharedDocs/Standardartikel/DE/Themen/PolitikGesellschaft/PolBilGesZus/forum.html?nn=271448

⁸⁷ In 2008, the CERD welcomed ‘the creation of the Secretariat for Minorities, which strengthens the visibility of minorities rights at federal level and offers greater opportunities for minorities to voice their concerns to the federal executive and legislative bodies’ (CERD 2008, no.9).

⁸⁸ Minderheitensekretariat (2005) *Erster Bericht des Minderheitensekretariats der vier autochthonen nationalen Minderheiten Deutschlands*; available at <http://friesenrat.de/cms/upload/pdf/2005%20Erster%20Bericht%20des%20Minderheitensekretariats.pdf>

⁸⁹ European Foundation for the Improvement of Living and Working Conditions (2008) *Equality and diversity in jobs and services: City policies for migrants in Europe*

implementing respective measures of **diversity management**.⁹⁰ Public authorities at the local, state and federal level have also emphasised their commitment to promote cultural diversity with their participation in the *Charter for Diversity* initiative.⁹¹

- [68.] Initiatives **promoting minority cultures** are often implemented through the means of project-based public funding for cultural activities and – as institutionalised funding – for minority organisations (e.g. Jewish organisations, Sinti and Roma associations). Despite such funding schemes, the general integration policy of the government is not characterised by a strong focus on promoting minority cultures, but rather by promoting the migrants' German skills, their educational success and employability as well as social participation and intercultural dialogue: public authorities on the local, regional⁹² and federal⁹³ level carry out, coordinate or financially support numerous large and small-scale projects that strive to encourage a **sprit of tolerance** and intercultural dialogue and to promote mutual respect and understanding (see annex 2).

⁹⁰ The following cities are among those who signed the Charter: Bonn, Düsseldorf, Hanover, Munich, Wiesbaden, Stuttgart, Augsburg, Aachen, Bochum, Dortmund, Frankfurt, Hattingen, Cologne, Münster, Osnabrück, Ravensburg; moreover several *Länder* signed it (e.g. Bremen, Hamburg, Berlin, Brandenburg, Lower Saxony).

⁹¹ <http://www.vielfalt-als-chance.de> (25.09.2009); for more information on the initiative see RAXEN update of NDCR 2006.

⁹² The *Land* NRW, for examples, set up a funding programme to offer financial support to cultural projects that aim at fostering intercultural dialogues and integration (www.nrw-kulturen.de). The annual initiative *Berliner Tulpe* [Berlin Tulip], supported by, amongst others, the *Land* Berlin and the Körber Foundation, awards good practice projects in the area of intercultural understanding and cooperation between Germans and people of Turkish origin. A similar annual award has been set up in the *Land* Hamburg (http://www.beys.de/berlinertulpe/content/content_30.htm).

⁹³ In 2008, some 500 very diverse integration projects that aim to foster the mutual respect and acceptance between migrants and natives were carried out with funding provided by the Federal Office for Migration and Refugees BAMF (14.7 million EUR) and the federal ministry of Family, Seniors, Women and Youth (7.2 million EUR) and in cooperation with numerous associations, migrant organisations, foundations and authorities at the local, state and national level (BAMF (2008) *Projektjahrbuch 2008. Potenziale nutzen – Integration fördern*, pp. 8-9).

7.2 Promoting the public use of languages spoken by minorities

- [69.] There is no substantial evidence that public authorities **interfere** with the public use of lesser used languages of national minorities in Germany.⁹⁴
- [70.] In some *Länder*, certain minority languages are under specific **legal protection** (e.g. special laws or state constitutions). This applies to the languages of the national minorities of the Frisians, Sorbs and Danes, but not to the Romany language. The federal government officially recognises the languages of all four national minorities according to the **European Charter for Regional and Minority Languages**. Whereas the languages of the Frisian, the Danish and Sorbian minority are subject to protection according to Part II *and* III of the Charter, the federal government has failed so far to adopt the quorum of 35 obligations from Part III of the Charter for the protection of the Romany language; thus the minority language of the German Sinti and Roma is on federal level only subject to the general protection according to Part II of the Charter.⁹⁵ The *Land* Hesse is, until now, the only state that adopted the quorum of 35 obligations under Part III (see also 6.4).⁹⁶
- [71.] Regarding the use of these minority languages before **administrative authorities or court**, Germany underscored in its latest FCNM report that the official language is German and that, due to the usually small proportion of minority members, the general use of minority languages within the public administration and before court is not possible in Germany.⁹⁷ In some *Länder*, however, specific legal regulations are in place (e.g. in Saxony, Brandenburg and parts of Schleswig-Holstein⁹⁸) allowing residents to submit applications or

⁹⁴ Germany/BMI 2009, no. 10002

⁹⁵ Within the scope of the aforementioned framework agreement between the state government of Rhineland-Palatinate and the state association of German Sinti and Roma, both parties expressed their endeavours to encourage the full and legally binding recognition of Romany as a minority language according to part III of the Charter (Rhineland-Palatinate State Government & Rhineland-Palatinate State Association of German Sinti and Roma (2005) *Framework agreement between the Rhineland-Palatinate government and the association of German Sinti and Roma, regional association of Rhineland-Palatinate* (Art 2)).

⁹⁶ By virtue of the Second Act to Implement the European Charter for Regional and Minority languages, entering into force on 19 September 2002.

Despite this 'very ambitious step' in Hesse, the Committee of Experts identified a significant gap between these accepted undertakings and their practical implementation; the Committee also expressed its awareness that difficulties may result from the fact that the Romany language has not been codified and that 'part of the speakers do not wish the Romany language to have a presence in public life outside the Sinti and Roma community, which is in contradiction with the aims of a number of provisions of the charter' (Council of Europe (2006) *European Charter for Regional or Minority Languages. Second report of the Committee of Experts in respect of Germany* (par. 744, 745)).

⁹⁷ Germany/BMI 2009, no. 10028

⁹⁸ The Schleswig-Holstein State Law on the promotion of Frisian in the Public Sphere

documents at the public administration in the minority language.⁹⁹ While representatives of the Danish, the Frisian¹⁰⁰ and the Sorbian minority have repeatedly called for enhancing such practical possibilities (due to the expected stronger public awareness of the minority, not because of the language barriers¹⁰¹), the ‘need to use Romany in relations with administrative authorities has not yet emerged’.¹⁰² In Hesse it is legally possible to use the Romany language in public administrations and assemblies and when submitting formal requests. As this possibility has neither been encouraged nor used in practice, the Committee of Experts considered this undertaking as not fulfilled – an assessment that was rejected by Germany.¹⁰³

- [72.] No significant active measures can be found that aim at **raising social acceptance** or the **public use** of lesser-used languages – except for the above mentioned use of these languages in public administrations, measures on teaching the minority languages (see 6.4) and national minority media (see following paragraph).

Media for national and ethnic minorities

- [73.] None of the four **national minorities** or any other ethnic minority groups is hindered to set up **media** in their languages. The Sorbian, Frisian and Danish minorities make use of this (constitutional) right (Art. 5 GG) by, for example, publishing newspapers or airing programmes on Open Channels (TV and radio) in their minority languages. In contrast, Sinti and Roma reject such a public use of their language in the media. Only one regional Sinti radio programme (*Latscho Dibes*) is broadcasted on a regular basis – though in German language¹⁰⁴ – for minority *and* majority members.
- [74.] In addition, several public TV and radio stations run programme sections that target specifically **migrants** or present themselves as “multicultural” programmes.¹⁰⁵ The public broadcaster WDR, for instance, broadcasts every

(FriesischG), in force in 2004, strengthened the right of the Frisian minority members to use their language when dealing with authorities in certain regions (Sec. 1 FriesischG). This act was explicitly welcomed by the CERD in 2008 (CERD 2008, no. 10).

⁹⁹ Germany/BMI 2009, no. 10032

¹⁰⁰ According to the third periodical report of the German government under the CoE Charter for minority languages, ‘Frisian-speaking staff members are available at a number of Land and local authorities, but this is the exception’; the North Friesland Revenue Offices reported about some 60 to 70 cases (of altogether 43,000) where tax matters were discussed in Frisian (Germany/BMI 2007, no. 3023).

¹⁰¹ Germany/BMI 2009, no. 10029

¹⁰² Germany/BMI 2009, no. 10081

¹⁰³ Germany/BMI 2007, nos. 4058, 4059

¹⁰⁴ The programme *Latscho Dibes* [Good afternoon], established in 2000 by a local Sinti association in Hildesheim, is aired once a month for one hour in Lower Saxony, Baden-Württemberg and parts of Hesse, usually hosted by two young Sinti (Germany/BMI 2009, no. 09072b).

¹⁰⁵ Due to financial restraints the public broadcasting in the Hesse (HR) and Berlin-Brandenburg (RBB), the special radio programmes for migrants were cancelled: at the end of 2008, the much-praised radio station Radio *Multikulti* at the public RBB was closed down – after 14

Sunday afternoon the multicultural **TV programme** *Cosmo TV* (in German) for both migrants and natives covering integration related topics and hosted by moderators with a migration background. The most significant **radio broadcasting** programme addressing specifically (but not exclusively) migrant communities is the *Funkhaus Europa* (WDR). It offers a diverse and multilingual radio programme (and an informative website) on issues related to migration and integration, cultural offers as well as the situation in the home countries for many different migrant groups. Most of the presenters have a minority background themselves. *Funkhaus Europa* also airs specific online radio programmes in, for example, Turkish (KölnRadyosulNET), south-central European languages (NetRadioForum) and Kurdish (Bernama Kurdi).

[75.] **Ethnic minorities** and migrant groups often use (via satellite) mother tongue programmes produced and broadcasted in the country of origin. Since the 1990s, private Turkish broadcasters have also established offices in Germany and produce programmes specifically for Germany.¹⁰⁶ Only very few TV and radio programmes that target migrants are produced and broadcasted independently from within Germany. The independent Turkish channel TD1 (Turkish-German TV) – the first of its kind –, aired in Berlin since 1985 (and since 2004 also in NRW), offered a Turkish-German programme specifically for Turkish immigrants, but had to cease operating in spring 2008.¹⁰⁷ In 2005, two new Turkish-German TV channels, produced in Germany, started broadcasting, the Duisburg-based *Kanal Avrupa*¹⁰⁸ and the Cologne-based *Türkshow*¹⁰⁹; both targeting Turkish immigrants in Germany and Europe with a programme mix of entertainment and information. Since 1999 the German-Turkish radio station Metropol FM has been airing a 24-hour entertainment, music and information programme in Turkish language.¹¹⁰

[76.] Since July 2007, the public TV broadcaster ZDF has offered the weekly **platform for Muslims and non-Muslims**, named *Forum am Freitag* [Forum on Friday] within its online TV programme (on the ZDF website and the ZDF online TV programme), where Muslim representatives present their viewpoint and information on various facets of Islam.¹¹¹ The state broadcaster SWR

years of informative and cultural programming primarily for migrants many presented by migrants. In Hesse, the HR recently announced that the mother tongue radio programmes for migrants (approximately 3.5 hours per day in Italian, Turkish, Greek, Russian, Serbo-Croatian, Spanish and Polish) will cease at the end of 2009.

¹⁰⁶ For a detailed survey on media consumption of Turkish immigrants, see Sauer 2009, pp. 211-221.

¹⁰⁷ Sauer 2009, pp. 218-219

¹⁰⁸ www.kanalavrupa.tv (02.09.2009)

¹⁰⁹ <http://www.turkshow.tv/> (02.09.2009)

¹¹⁰ Metropol FM started as a local radio stations; it can now be received by some 243,000 people of Turkish origin (aged 14 and older) in the greater region of Berlin Brandenburg, Rhine/Main (Frankfurt) and the South-East region. <http://www.metropolfm.de/> (02.09.2009)

¹¹¹ Two Islam experts, who have a Muslim background themselves, were assigned to supervise the online TV programme; these experts are new members of the ZDF specialised editorial team of the Churches (Germany, Bundesregierung (2008) *Nationaler Integrationsplan. Erster Fortschrittsbericht*, p. 84; www.forumamfreitag.zdf.de/ (18.08.2009)).

introduced a similar online format: since April 2007, the *Islamische Wort* [Islamic Word] is presented in the SWR website on a monthly basis as an audio and text file.¹¹²

- [77.] There is no evidence that the use of any language in public broadcasting or media is prohibited.

Good practices in the media

- [78.] Representatives of certain minority groups hold seats in **Supervisory Boards** (*Rundfunkrat*) of public broadcasters and have, as such, a say in their programming. Representatives of the Jewish community have a seat in the Supervisory Boards of all nine (regional) public broadcasters; representatives of migrant communities are members in some of these boards (e.g. SWR, WDR, RBB and Radio Bremen). The national minorities of Sorbs nominate a member of the board of the RBB (Berlin-Brandenburg) and MDR (Saxony). Moreover, a representative of the Danish minority is member of on the supervisory board of the national public television ZDF.¹¹³ The only representation of Sinti and Roma in a board of public media can be found in Rhineland-Palatinate, where the State Media Act (into force since 1 April 2005) contains a provision on the appointment of a representative of the German Sinti and Roma for the State supervisory board (*Landeszentrale für Medien und Kommunikation*). This should help ‘German Sinti and Roma make their interests known, and any possible discrimination can be counteracted’.¹¹⁴

- [79.] On a more general note, the Private Broadcasting Act (HPRG) in Hesse explicitly ‘stipulates that the programming shall contribute to the protection of ethnic, cultural and linguistic minorities’ (Sec. 13 (1)).¹¹⁵

No minority status for migrants

- [80.] Germany operates with a narrow definition of national minorities which excludes migrant groups¹¹⁶. As a consequence, there are no tendencies to extend

¹¹² www.swr.de/contra/-/id=7612/nid=7612/did=1983650/mpdid=1983652/1cgifqd/index.html (18.08.2009)

¹¹³ In response to claims of the Central Council of German Sinti and Roma, the federal government underscored that ‘the Federal Constitutional Court did not grant any socially relevant group – such as a national minority – the right to be included in the membership of supervisory boards’; on 25 August 2009, the same court ruled that the central Council does not have a claim to a seat on the supervisory bodies of the Deutschlandfunk or Hessischer Rundfunk (Germany/BMI 2009, nos. 09010, 09012)

¹¹⁴ Germany/BMI 2009, no. 09019; Rhineland-Palatinate State Government & Rhineland-Palatinate State Association of German Sinti and Roma, regional association of Rhineland-Palatinate (2005) *Framework agreement between the Rhineland-Palatinate government and the association of German Sinti and Roma, regional association of Rhineland-Palatinate*, Art 4.

¹¹⁵ Germany/BMI 2009, no. 09078

¹¹⁶ According to the government’s definition, five criteria need to be met by the minority group, which underscore the narrow understanding of national minorities and excludes any migrant group (Germany, Bundestag, printed matter 14/4045 (06.09.2000)):

the minority status according to the FCNM to any migrant group or to foster their languages similarly to the promotion of national minority languages beyond the constitutional rights.

7.3 Effective participation of persons belonging to minorities in public life

Ethnic diversity in public administration

[81.] Attempts to ensure that **public administrations** reflect the ethnic diversity of the population can be found in several *Länder* (e.g. NRW, Berlin, Bremen) and individual municipalities (e.g. Cologne, Munich) – most prominently in the area of the workforce of the police and municipal administrations.¹¹⁷ The following main types of measures have been applied to encourage migrants to apply for positions or start their apprenticeships in public administrations¹¹⁸:

- Multi-lingual information materials that emphasise that migrant applicant are particularly welcome (e.g. Bremen).
- Public promotion campaigns, such as Berlin campaign ‘Berlin needs you’ (see RAXEN Annual report 2006).
- New approaches to address potential applicants in multiethnic neighbourhoods (e.g. information events in cooperation with migrant organisations or the promotion truck that distributes Turkish information leaflets in multiethnic neighbourhoods in NRW).
- Altered recruitment testing procedures and criteria that are less focussed on German skills and/or emphasise intercultural competence and a proficiency

-
- The members of the community are German citizens
 - They differ from the majority population in terms of own language, culture and history, also regarding their own identity
 - They want to maintain their identity
 - They are traditionally native in Germany
 - They live here in their traditional settlements.

¹¹⁷ UN Special Rapporteur recently criticised the under-representation of migrants in ‘important institutions, including the political system, the police and the courts’ and called for positive measures to ensure the adequate representations of persons with a migration background in State institutions’ (United Nations (2009) press release ‘UN expert on racism concludes mission to Germany (01.07.2009), available at: www2.ohchr.org/english/issues/racism/rapporteur/docs/PRelease_end_mission010709.pdf (23.09.2009)

¹¹⁸ Many of the following examples were briefly described in an online brochure of the Federal Integration Commissioner on the implementation of Diversity Management in public administrations (Germany, Beauftragte des Bundes für Migration, Flüchtlinge und Integration, Vielfalt nutzen. Diversity Management in der öffentlichen Verwaltung – Vorschläge aus der Praxis; online available at: <http://www.vielfalt-als-chance.de/data/downloads/webseiten/Leitfaden-OeffentlicheHand-Web.pdf> (21.08.2009).

in typical migrant languages as beneficial (e.g. in Munich, Cologne, Frankfurt).

- Preparatory courses for migrants that help them pass the mandatory recruitment tests (e.g. in Bremen).

[82.] Despite all these measures, public authorities generally reject the notion of positive discrimination of migrant applicants emphasising that the principle of equal treatment of all must be fully complied with. Systematic mechanisms that assure that migrants and minorities are represented in public organs and institutions are not in place.

Voting rights and political representation

[83.] Third country nationals are not allowed to vote or stand as candidates in federal, state, regional and municipal **elections**. Despite intensive lobbying of NGOs and some opposition parties (especially the Greens and LINKE) for the introduction of local voting rights for third country nationals, the government (primarily the conservative parties) continues to refuse such voting rights for non-EU citizens.¹¹⁹ According to Art 28 (1) GG, amended in 1992 in order to comply with EU law, EU citizens are entitled to vote and stand as candidates in municipal elections.¹²⁰

[84.] Third country nationals have, like all non-nationals¹²¹ and sometimes also Germans with a migration background, the right to vote and stand as candidates in local elections of **Integration** or **Foreigners' (Advisory) Councils** (*Integrations-/Ausländerbeirat*), which have been established in around 400 German cities. While the legal basis for these advisory councils differ from *Land to Land*¹²² and even between municipalities, they all aim to give a voice to migrants in local politics. These councils have, however, solely advisory

¹¹⁹ The opponents of the introduction of local voting rights to third country nationals often refer to the landmark decision of the Federal Constitutional Court on 31 October 1990 (Germany, Bundesverfassungsgericht, 83, 37, 50ff., 83 and 60, 71ff). The court emphasised that the German people is the source of all state power according to the constitutional Art. 20 (2) GG, which entails a general restriction of voting rights to German citizens. However, the Court also pointed out that a respective amendment of the restriction is – in principle – possible, but requires a two-third majority in both the Upper House and the Parliament (Germany, Bundestag, printed matter 16.4666 (13.03.2007)).

¹²⁰ Nationwide numbers on how these rights are used in practice are not available. According to the Rhineland-Palatinate State Ministry for Social Affairs, 322 of all candidates in the municipal election in Rhineland-Palatinate (2009) were EU citizens; 67 were elected; in the previous municipal elections (2004), 224 non-German candidates were counted. Of which 60 were voted in (Rhineland-Pfalz, Ministerium für Arbeit, Soziales, Gesundheit, Familie und Frauen, press release (13.08.2009); online available at: www.masgff.rlp.de/aktuelles/presse/einzelansicht/news/2009/08/67-eu-staatsangehoerige-in-rheinland-pfaelzischen-kommunalparlamenten-vertreten/ (19.08.2009)).

¹²¹ Asylum seekers are generally excluded from these rights.

¹²² In Hesse, Rhineland-Palatinate, Saarland and North-Rhine Westphalia, municipalities with more than 5,000 inhabitants are legally obliged by the *Gemeindeordnung* (municipality code) to conduct elections of the foreigners' councils; in the other states it is voluntary.

powers, without the capacity of making binding decisions.¹²³ In some municipalities, **Integration Committees** (*Integrationsausschuss*), which comprise of migrant representatives as well as elected council members, have been established in some municipality in addition to the integration (advisory) council (e.g. in Mannheim). According to recently amended state provisions in NRW, **Integration Councils** (*Integrationsrat*), which consists of elected migrant representatives and additional members of the city council, are to be established in municipalities with more than 5,000 non-German residents. Alternatively, the city council may decide that an Integration Committee is to be set up instead, which consist of elected members of the city council and some representatives of the migrant communities; however, the number of council members in such a Integration Committee must surpass the number of other members (who are not formally elected by the residents) due to reasons of democratic legitimacy.¹²⁴ The changes in the institutional format of these Integration Committees and Integration Councils are meant to entail a stronger political say of migrants due to the closer institutional linkages with the decision-making council.

[85.] With the amendment to the *Betriebsverfassungsgesetz* [Works Constitution Act, BetrVG] in 1972, non-German employees – irrespective of their nationality or origin – gained the right to vote and to stand as candidates in elections of the **workers' representation** (work councils; Sec. 7 BetrVG). Since then, all trade union members have had the same rights. Figures specifically on third country nationals as members of work councils are not available, but according to statistics of the three trade unions IG BAU, IG Metall and IG BCE, approx. five per cent of the work council members are foreigners (see CDC 2008, see also annex 1, graph 1).¹²⁵

[86.] In recent years the **national FCNM minorities** have gained a stronger voice in the political arena with the foundation of the *Minderheitenrat* (Minority

¹²³ In some Länder (e.g. Bavaria, Baden-Württemberg Hesse, Rhineland-Palatinate, Saarland and NRW), umbrella organisations have been established on state level that represent the local councils; the *Bundesausländerbeirat* [Federal Foreigners' Council] represents the local council on the federal level.

¹²⁴ Nordrhein-Westfalen, Gemeindeordnung für das Land Nordrhein-Westfalen (GO NRW), amended by the Gesetz zur Förderung der politischen Partizipation in den Gemeinden (30.06.2009)

Since 2004 and prior to this legal amendment, local integration bodies with a stronger political say have been established – based on an exceptional regulation of the NRW state government – in some 60 municipalities; these local integration bodies comprised of migrant representatives (two thirds) and elected members of the city councils (one third) and were closely linked to the decision making process of the council. The new regulations, passed by the NRW state government in 2009, have met with criticism from migrant organisations, who tend to favour Integration Councils with a majority of migrant representatives over the Integration Committee which is dominated by regular city council members. (http://www.laga-nrw.de/data/brief_vorsitzende.pdf).

¹²⁵ DGB (2008) *Umsetzung des nationalen Integrationsplans. Gewerkschaftliche Handlungsfelder und Aktivitäten. Thesen für die PK am 15.07.2008*, available at: http://www.migration-online.de/data/080715_dgb_thesen_zum_nip.pdf (16.08.2009).

Council) by leading organisations of each of the four national minorities in late 2004. On the initiative of the Minority Council, the aforementioned parliamentary working group on minority issues (see 7.1) was set up for the legislative period 2005 to 2009 and, in mid 2005, an independent Secretary for Minority Issues was installed at the Office of the Federal Commissioner for Minorities. Through these institutional changes, the national minorities have enhanced their political impact – beyond the regular consultations and cooperation with the government within the scope of the FCNM reporting system.¹²⁶

[87.] Although migrants continue to be under-represented in the national and *Länder* **parliaments**, an upward development has occurred in the recent past and reached a new all-time high with the latest federal election results in September 2009¹²⁷: according to a research study by Wüst und Heinz (2009), the number of MPs with a migration background has continuously increased from one in the parliamentary period 1990-1994 to twelve in the period 2005-2009. Together with migrants in *Länder* parliament (N=41; ten of them have an EU background) and the European Parliament (N=12; eight of them have an EU background), elected in Germany in 2005, 65 migrants – most of them of Turkish origin – held a parliamentary seat.¹²⁸ Migrant members of the European, the German and *Länder* parliaments are active in on average 1.4 **parliamentary committees**, which shows a slightly stronger (on average) participation of migrants in such committees compared to their parliamentary fellows without a migration background.¹²⁹

[88.] Migrants from other EU countries either with or without a German passport (as well as Germans with a non-EU migration background) also hold seats in many **municipal parliaments**. According to a recent study, 23 migrants with a Greek background, seven with an Italian, and two with a Spanish background could be identified in the municipal parliaments of the 25 largest German cities; altogether six representatives in city councils are from central and eastern Europe (Russia, Poland, Romania); the largest group consists, however, of local

¹²⁶ Such consultative mechanisms are also recommended by the Council of Europe in its commentary on the effective participation of persons belonging to national minorities in cultural, social and economic and in public affairs (2008, nos. 106-108).

¹²⁷ According to a preliminary count, 20 members of the new federal parliament (2009-2013) are of migrant origin: while the majority of the migrant MPs have a non-EU background (e.g. Turkish (5), Iranian (4) and Indian (3) origin), a small but growing number of MPs come from EU countries (e.g. Poland, Czech Republic)

¹²⁸ As these figures stem from the research study by Wüst and Heinz (2009), changes resulting from recent elections such as the latest EP election and the federal election as well as some *Länder* elections are not taken into account.

¹²⁹ A. M. Wüst and D. Heinz (2009) 'Die politische Repräsentation von Migranten in Deutschland', in: M. Linden and W. Thaa (eds.) *Die politische Repräsentation von Fremden und Armen*, Nomos: Baden-Baden, pp. 201-218.

These figures do not take into account the changes that occurred with the 2009 European Parliament election and the federal elections in September 2009.

politicians of Turkish origin (28).¹³⁰

- [89.] Some of major political parties have set up **working groups** or sub-groups that offer migrant party members a platform to jointly voice their political viewpoints; these groups within political parties are not exclusively for EU citizens, but open for certain migrant (e.g. of Turkish origin) or minority groups (e.g. Muslims) in general.¹³¹
- [90.] A recent development in the political landscape on the municipal level occurred with the emergence of new **political parties of migrants**. In Bonn (NRW), for instance, the *Bündnis für Frieden und Fairness* [Federation for Peace and Fairness] was founded by migrants in 2009 and ran for seats in the municipal elections in August 2009 – with a political agenda focussing on integration and intercultural cooperation; the party received 2.1 per cent of the votes and are now represented in the Bonn city council.¹³² A similar agenda has been adopted by the newly founded *Alternative Bürgerinitiative Köln* [Alternative Citizen Initiative Cologne], which represents mainly people with a migration background and participated in the local elections in Cologne (NRW).¹³³
- [91.] 17 (non-German) Union citizens were standing as candidates for the 2009 **EP elections** in Germany; none of them was elected.¹³⁴ Many more candidates who are originally from another EU country (either with dual citizenship or Germans) were running for an EP seat; their precise number can not be determined. Only a few of them were elected, like the German-Portuguese MEP Alvaro or the German-Greek MEP Chatzimarkakis;¹³⁵ one elected German MEP is of Turkish origin (MEP Ertug).

Election campaigns and xenophobia

Primarily in state elections, but also during the EP, federal and local elections, far right-wing parties use their campaigns to mobilise against certain minority

¹³⁰ Wüst/Heinz 2009, p. 206

¹³¹ Two examples for such political groups representing migrants and minorities are the *Deutsch-Türkische Forum der CDU* [German-Turkish Forum of the CDU], founded by conservative politicians of German and Turkish origin in 1997 (<http://www.dtf-online.de/> (29.09.2009)), with its *Länder* organisations in Hamburg, Berlin, Saarland, NRW, Bremen and Greater Stuttgart, and the working group *Grüne Muslime* [Green Muslims], found as the first network of Muslims within a German party in 2006 (www.gruene-muslime.de, (29.09.2009)).

¹³² www.bff-bonn.de (29.09.2009)

¹³³ The *Alternative Bürgerinitiative Köln* failed to win a seat in the Cologne city council as they only received 1.189 votes in the local election. www.abi-koeln.de (29.09.2009)

¹³⁴ According to the *Bundeswahlleiter* (statutory body for monitoring elections in Germany), four candidates were from France, four from Italy, three from the UK, two from Luxemburg and one from Greece, Austria, Sweden and Poland (Germany, Bundeswahlleiter (2009) *Wahl der Abgeordneten des Europäischen Parlaments aus der Bundesrepublik Deutschland am 7. Juni 2009*, p. 159; available at: http://www.bundeswahlleiter.de/de/europawahlen/EU_BUND_09/veroeffentlichungen/sonderheft.pdf (25.08.2009)).

¹³⁵ Moreover, some of the newly elected MEPs were born in other EU countries (e.g. Austria, Belgium, France); their citizenship status could, however, not be identified.

groups and, by doing so, sought to benefit from and reinforce existing xenophobic and Islamophobic attitudes.

In the run-up to the state election in **Thuringia**, the extreme right-wing party NPD publicly threatened a 45 year old Black party member of the conservative CDU. The NPD called the politician of Angolan origin ‘CDU quota negro’ (“CDU-Quotenneger”) and announced that NPD activists would pay him a visit at home and try to talk him into “starting a new life in Angola”; the police had to protect politician from right-wingers who showed up in front of his house. The NPD used such xenophobic attacks on the black politician for their anti-immigration and nationalistic election campaign (e.g. by using posters saying “have a nice trip home, Zeca!”), which may function as a catalyst for the already existing racist and xenophobic attitudes among the citizens in Thuringia.¹³⁶

During their campaign for the state elections in **Saxony** in August 2009 and the **federal elections** in late September, the NPD agitated against migrants (“jobs for Germans”, “criminal foreigners out”) and in particular against Polish people. Election campaign posters that read “stop the polish invasion!” (picture 1) have been put up in large numbers in Saxony and Mecklenburg Western Pomerania, especially in cities along the German-Polish border, like Görlitz and Löcknitz. In Löcknitz, the NPD won 12.5 per cent of the votes in the federal elections – four times more than the state-wide average in Mecklenburg Western Pomerania (3.3 per cent).¹³⁷

¹³⁶ According to survey findings of the latest Thüringen-Monitor (2008), every second respondents agreed (fully or rather) that Germany is dangerously *überfremdet* - dominated by the large number of foreigners (M. Edinger, A. Hallermann and K. Schmitt (2008) *Politische Kultur im Freistaat Thüringen. Soziale Marktwirtschaft in Thüringen: Die Einstellungen der Bürgerinnen und Bürger. Ergebnisse des Thüringen-Monitors 2008*; available at: [/www.thueringen.de/imperia/md/content/homepage/politisch/thueringen_monitor_2008.pdf](http://www.thueringen.de/imperia/md/content/homepage/politisch/thueringen_monitor_2008.pdf) (28.08.2009). In the end, the NPD received 4.3 per cent of all votes in the state election in Thuringia and failed to win a single seat in the state parliament.

¹³⁷ L. Y. Roloff (2009) ‘NPD-Plakatwelle macht Polen und Deutsche wütend’, in: *Spiegel online* (21.08.2009), available at: <http://www.spiegel.de/politik/deutschland/0,1518,643760,00.html> (24.08.2009). In the meantime, the Upper Administrative Court in Greifswald ruled (second instance) that these election campaign posters are to be considered as case of unlawful incitement (Sec. 130, StGB) and had to be removed (Greifswald/Oberverwaltungsgericht/3 M 155/09 (19.09.2009)). *Frankfurter Rundschau* (29.09.2009), p. 3

In the Saxony state elections 2009, the NPD received 5.6 per cent of all votes and won eight seats in the state parliament (2004: 9.2 per cent).

Picture 1: NPD election campaign poster “stop the polish invasion!”



Source: <http://img2.vpx.pl/up/20090804/plakatnty.jpg>

In the run-up to the **federal elections** in late September, the chairman of the regional NPD office in Berlin sent letters to some 30 politicians with a migration background, many of them standing as candidates for the federal elections. In these letters, which appeared like formal letters from an authority, the “NPD commissioner for the deportation of foreigners” outlined an action plan for the deportation of foreigners; the recipients should ‘familiarise’ themselves with the details of their approaching journey back to ‘their home countries’. The public prosecutor launched investigations due to unlawful incitement (Sec. 130 StGB).¹³⁸

In North Rhine-Westphalia (NRW), the far right-wing, populist party PRO NRW ran for seats in several local councils in the **municipal elections** in August 2009 with their anti-Islamic and xenophobic message ‘*Gegen Islamisierung und Überfremdung*’ – against Islamisation and the dominance of foreigners. Their party, the symbol of which shows a mosque that is crossed out (picture 3), was founded five years ago on the basis of a local anti-mosque movement in Cologne (PRO KÖLN) and has since then tried to set up NRW state-wide party structures – with only limited success.¹³⁹

¹³⁸ F. Ataman & F. Jansen (2009) , Berliner NPD will Migranten-Politiker einschüchtern’, in: *Tagesspiegel* (22.09.2009), available also at: <http://www.tagesspiegel.de/berlin/Landespolitik-Rechtsextremismus-NPD;art124,2905412> (23.09.2009); J. Schindler (2009) ‘Ermittlungen wegen Hassbriefe der NPD’, in: *Frankfurter Rundschau* (23.09.2009), p. 9, Spiegel online (21.09.2009).

¹³⁹ In the local elections in the *Land* NRW, PRO NRW candidates stood as candidates only in some cities; the party reached 0.6 per cent of all votes state-wide; in Cologne, however, Pro Köln was voted by 5.4 per cent.

Picture 3: Party and election campaign symbol of PRO NRW



Source: <http://www.pro-nrw.org/>

- [92.] The two far right-wing parties, REP and DVU participated in the **EP election** 2009 mobilising against Muslims, in particular by misusing the issue of a future EU accession of Turkey (see RAXEN Rapid Response 2009).
- [93.] The following incident of negative depiction of Romanian workers during the federal election campaign of the democratic conservative party CDU appears – although not motivated by racism – suitable of fuelling xenophobic resentments and prejudices in parts of the mainstream society:
- [94.] In early September, negative statements of a leading politician of the conservative party CDU on workers of a mobile phone production site in Romania received a great deal of public attention. The prime minister of the *Land* NRW stated during two election campaign events in late August that **Romanian workers** would not get a grip on the mobile phone production in a recently opened factory in Romania ('they 'don't know what they are doing'); the politician stated that, 'in contrast to the workers in NRW', they 'would not show up at seven in the morning' and would not be willing to work overtime if necessary. The international mobile phone company had stopped its production in NRW in May 2008 and re-opened a production site in Romania. The statements were criticised by political opponents; the chairwoman of the Greens described the statements as 'pure racism'. In the meantime, the conservative politician apologised for his statements.¹⁴⁰

Media

- [95.] Significant **incentives** to increase the participation of minorities in the media are not systematically provided. The public TV broadcasters ARD (with its nine

¹⁴⁰ Frankfurter Rundschau (06.09.2009), p. 6; Welt online (05.09.2009), available at: www.welt.de/die-welt/politik/article4467178/Empoerung-ueber-Ruetters-Attacke-gegen-Auslaender.html (14.09.2009)

regional broadcasting agencies) and ZDF¹⁴¹ pursue the explicit aim to increase the number of employees with a migration background, which has been re-emphasised again within the scope of the National Integration Plan. This objective should be reached through an enhanced ‘targeted recruitment and human resources strategies’, including various activities such as the development of specific training programmes for journalists, TV presenters and reporters with a migration background or encouragement of migrant applicants in the recruitment procedures; the WDR¹⁴², for instance, has added the following sentence to its vacancy notes since 2005: ‘the WDR fosters cultural diversity in its company; therefore we welcome the applications of employees of foreign origin’.¹⁴³

7.4 Trends and good practices

- [96.] ECRI stated in its latest report on Germany, that ‘the authorities have begun to move towards an important new understanding of the **diversity** of German society today and of measures that may be needed to ensure that all members of today’s society are able to participate fully’; however, ECRI continues, ‘it seems that this understanding (...) has not yet filtered through to German society as a whole’.¹⁴⁴ Such awareness on the governmental level is reflected by, most prominently, the National Integration Plan, the initiative Charter for Diversity and the German Islam Conference.
- [97.] Moreover, the various efforts of several *Länder* governments and municipalities to increase the number of migrant employees in **public administration** and the police forces indicate an increased awareness of the assets of ethnic diversity – although migrants continue to be severely underrepresented in state institutions, as the UN Special Rapporteur on racism pointed out recently – calling for special measures to tackle this imbalance.¹⁴⁵
- [98.] Despite the positive trend regard the number of **politicians with a migration background**, their representation in federal and state parliaments and also in the European and municipal parliaments remains low; especially politicians from other EU countries (with German or dual citizenship) are hardly present in the federal or *Länder* governments.¹⁴⁶ The UN Special Rapporteur on racism

¹⁴¹ According to an internal analysis by ZDF, approximately 2.3 per cent of its employees are foreigners and about 18 per cent have a migration background (Germany, Bundesregierung (2008) *Nationaler Integrationsplan. Erster Fortschrittsbericht*, p. 84)

¹⁴² The ZDF and the WDR have both signed the *Charter of Diversity* (see 7.1)

¹⁴³ Germany, Bundesregierung (2008) *Nationaler Integrationsplan. Erster Fortschrittsbericht*, p. 78; Germany, Bundesregierung (2007) *Nationaler Integrationsplan. Neue Wege – Neue Chancen*, p. 161. Another media-related good practice initiative is presented in annex 2.

¹⁴⁴ ECRI 2009, p. 43

¹⁴⁵ United Nations 2009, p. 2

¹⁴⁶ It is noteworthy, however, that the chairman of the Green party is of Turkish origin and that the State Premier in Saxony is member of the Sorbian minority.

concluded in June 2009 that the under-representation of migrants in the **political process** ‘has a major impact in the power of such communities to influence policy-making and to have a say in the decisions taken in their local communities’; he subsequently called upon political parties to ‘be proactive in selecting German citizens with a migration background to run for offices’ and to be more flexible with granting migrants ‘who have resided in Germany for a reasonable time’ the right to vote in local elections.¹⁴⁷

[99.] The **political parties of national FCNM minorities** are subject to exceptional provisions that privileges them regarding their chances of securing a parliamentary seat¹⁴⁸: in federal elections the parties of all national minorities have been exempted from the minimum threshold of five percent of the votes since 1953 (the factual minimum of votes to win a seat is currently at around 0.08 per cent); in the state elections in Brandenburg, the party of the Sorbs and in Schleswig-Holstein the party of the Danish minority enjoy similar privileges. The only minority party that actually has benefited from these regulations is the SSW, the Danish minority party in Schleswig-Holstein, which has been holding seats in the state parliament since the introduction of the regulation in 1958.

¹⁴⁷ United Nations 2009, p. 8

¹⁴⁸ The Council of Europe recommends such exceptional provisions in the electoral system (no. 82) in its Commentary on the effective participation of persons belonging to national minorities in cultural, social and economic and in public affairs (2008).

Annex 1 – Statistical Data and Tables

	2008	2009
Complaints regarding ethnic discrimination received by Equality Body	-	-
Number of ethnic discrimination established by Equality Body	-	-
Follow up activities of Equality Body, once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.)	-	-
Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) in your country for the thematic areas of Employment, Housing, Healthcare, Education etc. (if possible, disaggregated by gender and age).	-	-
Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation)	-	-

The statistics provided by the German Equality Body ADS do not contain the type of information necessary to complete the table above; therefore, the ADS statistics are presented in an extra table. It is important to note that none of these figures refer directly to discrimination complaints since the ADS statistics do not differentiate between general information-seeking queries and advice-seeking complaints; they solely count “contacts”.

Statistics of the Antidiskriminierungsstelle des Bundes (ADS)

Table 1: Contacts and inquiries registered by the ADS (federal equality body) between August 2006 and July 2009

All contacts		
Total number of inquiries and contacts	7,558	
of which: multiple contacts	2633	
= new contact	4,925	
New contacts		
Not related to the General Equal Treatment Act (AGG)	1,014	
AGG related inquiries	3,911	
AGG related contacts by grounds of discrimination (in per cent and total)*		
	in total	in per cent
Disability	769	25.84
Sex	722	24.26
Age	589	19.79
Ethnic origin	432	14.52
Multiple discrimination	230	7.73
Sexual identity/orientation	125	4.20
Religion	97	3.26
Belief	12	0.40

Source: Germany/ADS, information on request

* not all AGG related inquiries referred to specific grounds of discrimination (e.g. general inquiries)

Table 2: Contacts and inquiries registered by the ADS between January and December 2008

All contacts		
Total number of inquiries and contacts	2,507	
of which: multiple contacts	820	
= new contact	1,687	
New contacts		
Not related to the General Equal Treatment Act (AGG)	336	
AGG related inquiries	1,351	
AGG related contacts by grounds of discrimination (in per cent and total)*		
	in total	in per cent
Sex	297	25.98
Disability	282	24.67
Age	181	15.84
Ethnic origin	172	15.05
Multiple discrimination	120	10.50
Sexual identity/orientation	57	4.99
Religion	28	2.45
Belief	6	0.52

Source: Germany/ADS, information on request

* not all AGG related inquiries referred to specific grounds of discrimination (e.g. general inquiries)

Table 3: Contacts and inquiries registered by the ADS between January and July 2009

All contacts		
Total number of inquiries and contacts	1,566	
of which: multiple contacts	586	
= new contact	980	
New contacts		
Not related to the General Equal Treatment Act (AGG)	225	
AGG related inquiries	755	
AGG related contacts by grounds of discrimination (in per cent and total)*		
	in total	in per cent
Disability	148	24.38
Sex	132	21.75
Age	122	20.10
Ethnic origin	87	14.33
Multiple discrimination	57	9.39
Religion	29	4.78
Sexual identity/orientation	26	4.28
Belief	6	0.99

Source: Germany/ADS, information on request

* not all AGG related inquiries referred to specific grounds of discrimination (e.g. general inquiries)

ADNB-TBB: complaint statistics on discrimination (Berlin)

Tab. 4 Discrimination complaints registered by the Antidiskriminierungsnetzwerk Berlin (ADNB-TBB), 2006, 2007, 2008

Area of reported complaints on discrimination	Number of cases (number of persons affected)			
	2006	2007	2008	total
employment (workplace, looking for work, apprenticeship)	9 (11)	22 (22)	38 (39)	69 (72)
Goods and services	14 (19)	13 (15)	13 (20)	40 (54)
Immediate social surrounding (<i>Sozialer Nahraum</i>)	4 (4)	18 (17)	15 (24)	37 (45)
Education (school, university further training)	9 (11)	15 (15)	13 (15)	37 (41)
Authorities	2 (2)	8 (9)	9 (10)	19 (21)
Police	4 (5)	6 (10)	6 (6)	16 (21)
Public transport	0	4 (6)	2 (2)	6 (8)
Health service (incl. Health insurance)	0	4 (4)	1 (1)	5 (5)
Media	1	4 (2)	0	5 (2)
Immediate personal surrounding (<i>Persönlicher Nahbereich</i>)	0	0	2 (2)	2 (2)
Jurisdiction	1 (26)	0	1 (1)	2 (27)
Others	2	0	2 (2)	4 (2)
Total number - Berlin	46 (78)	94 (101)	102 (122)	242 (300)
<i>Persons affected (M = male; F = female)</i>	<i>59 M</i>	<i>54 M</i>	<i>67 M</i>	<i>180 M</i>
	<i>19 F</i>	<i>46 F</i>	<i>55 F</i>	<i>120 F</i>
Additional cases reported without evidence of discrimination	2	12	15	29
Reported complaints of discrimination from other Länder	5	10	13	28
Queries in total	53	116	130	299

Source: Antidiskriminierungsnetzwerk Berlin des Türkischen Bundes in Berlin-Brandenburg (2008) Antidiskriminierungsreport Berlin 2006 – 2008

ADB Cologne: complaint statistics on discrimination

Table 5: Complaints regarding discrimination recorded by ADB Cologne/ÖgG (2005, 2006 and 2007) by area of discrimination

Area of discrimination	2005		2006		2007		2008	
	Number	in per cent	Number	in per cent	Number	in per cent	Number	in per cent
Public authorities	17	26	20	28	*	27	31	29
Education	4	6	13	18	*	20	22	21
Private services	13	19	12	17	*	12	9	8
Housing	10	15	12	17	*	19	13	12
Employment	10	15	9	13	*	15	17	16
Police	9	13	3	4	*	4	6	6
others	4	6	2	4	*	3	8	8
All complaints	67	100	71	100	97	100	106	100

Source: AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V (2009) Diskriminierungsfälle 2008; AntiDiskriminierungsBüro (ADB) Köln / Öffentlichkeit gegen Gewalt e.V. (2008) Diskriminierungsfälle 2007; AntidiskriminierungsBüro (ADB) Köln/Öffentlichkeit gegen Gewalt e.V.; Caritasverband für die Stadt Köln e.V./Antidiskriminierungsbüro, Interkulturelles Referat der Stadt Köln (2007) „Nein, das gibt’s hier nicht!“ Diskriminierung in Köln – (k)ein Einzelfall; data on the number of complaints in 2006 were made available upon NFP request.

* Not specified

Table 6: Complaints regarding discrimination recorded by ADB Cologne by grounds of discrimination and type of discrimination (2007, 2008), in per cent

Grounds of discrimination	per cent	
	2007	2008
Origin / nationality	65	60
Outer appearance	16	22
Residence status	4	1
Religion / belief	12	9
Others	3	8
Type of discrimination (in per cent)		
Controversial treatment	64	59
Hostility	30	32
Bodily violence	5	8
Damage to property	1	1

Source: AntiDiskriminierungsBüro (ADB) Köln / Öffentlichkeit gegen Gewalt e.V. (2008) Diskriminierungsfälle 2007; AntiDiskriminierungsBüro (ADB) Köln / Öffentlichkeit gegen Gewalt e.V. (2008) Diskriminierungsfälle 2008

Table 7: Data on the (alleged) perpetrator, recorded by the ADB Cologne/ÖgG in per cent (2007, 2008)

Perpetrator(s)	in per cent	
	2007	2008
Institution or employees in the public sector	58	42
Business or employees in the private sector	19	30
Individual	12	17
Unknown	6	4
Group	5	7
All complaints	100	100

Source: AntiDiskriminierungsBüro (ADB) Köln / Öffentlichkeit gegen Gewalt e.V. (2008) Diskriminierungsfälle 2007; AntiDiskriminierungsBüro (ADB) Köln / Öffentlichkeit gegen Gewalt e.V. (2008) Diskriminierungsfälle 2008

ADB Saxony: complaint statistics on discrimination (Leipzig)

Table 8: Complaints regarding discrimination recorded by ADB Saxony (2007, 2008) by grounds of discrimination

Grounds of discrimination	Number of cases	
	2007	2008
(Ascribed) racial origin, ethnic origin	25	38
Disability	17	18
Sex	8	7
Sexual identity	6	4
Religion/belief	5	6
Age	3	4
Social status	1	3
Others	1	-
Total number of complaints including multiple answers	66	80
Total number of complaints (excl. multiple answers)	58	73

Source: Antidiskriminierungsbüro (ADB) Sachsen (2009) Was tun gegen Diskriminierung?! Die Arbeit des Antidiskriminierungsbüros in Sachsen. Leipzig

Table 9: Complaints regarding discrimination recorded by ADB Saxony (2006, 2007, 2008) by area*

Area	Number of cases		
	2006	2007	2008
Work (labour market, work place, employment agencies etc.)	11	14	17
Public institutions (administrations, public authorities)	8	15	21
Police, justice	4	2	10
Goods and services	25	9	16
Housing market	6	3	-
(Immediate) private/personal life	18	5	3
Health	7	4	5
Education	5	6	5

Source: Antidiskriminierungsbüro (ADB) Sachsen (2009) Was tun gegen Diskriminierung?! Die Arbeit des Antidiskriminierungsbüros in Sachsen. Leipzig

* Statistics not entirely comparable to statistics of 2006 due to altered categories

Table 10: Complaints regarding discrimination recorded by ADB Saxony (2007, 2008) by type of discrimination

Type of discrimination	Number of cases	
	2007	2008
Harassment	4	16
Bullying	3	5
Insults/defamation	8	7
Unequal treatment regarding access and participation	18	24
Denying access of participation	25	18
Others	4	10

Source: Antidiskriminierungsbüro (ADB) Sachsen (2009) Was tun gegen Diskriminierung?! Die Arbeit des Antidiskriminierungsbüros in Sachsen. Leipzig

AMIGRA complaint statistics on discrimination (Munich)

Table 11: Discrimination complaints, recorded by AMIGRA (Munich) by area and grounds of discrimination, 2006 (per cent), 2007 and 2008 (total number and per cent)*

Year	2006	2007	2008
Total number of complaints	-	69	144
Grounds of discrimination (per cent)			
Appearance/Colour of skin	9	26	29
Origin	72	54	64
Religion	5	12	3
Belief	**	**	**
Others	9	9	4
Areas of discrimination (per cent)			
Hospitality (pubs, bars, restaurants etc.)	*	7,2	8,4
Retail and insurance	*	5,8	2,7
Workplace	17,3	16	10,4
School, university	9	9	10,4
Public transport (local)	6,2	5,8	9,7
Public transport (federal)			
Housing/neighbourhood	13,1	20	10
Social welfare	**	1	2,7
Municipal authority	17,5	26	21
External authority/police	10,7	7,2	17,3
Justice (court, prosecution)	**	**	7,6

Source: AMIGRA (data provided on NFP request)

* The AMIGRA registration system was altered in 2007; the number of discrimination complaints in 2007 and 2008 do not include the approximately 400 information queries, short advisory talks (phone or face-to-face) and email consultations (per year)

** Not specified

Zentrum für Türkeistudien: Survey among migrants of Turkish origin (NRW, Germany)

Table 12: Personal experiences of discrimination in everyday life in NRW and Germany (adults of Turkish origin), per cent

Discrimination experienced	NRW	Germany
No	29,0	28,0
Yes	71,0	72,0

Source: M. Sauer (2009) Türkischstämmige Migranten in Nordrhein-Westfalen und in Deutschland: Lebenssituation und Integrationsstand. Ergebnisse der neunten Mehrthemenbefragung, Essen: ZfT, p. 163

Table 13: Personal experiences of discrimination in everyday life in NRW and Germany (adults of Turkish origin), by area, per cent

	NRW	Germany
Work place, school, university	48,7	49,8
Looking for work	43,1	43,3
Looking for a flat	41,8	44,4
Public authorities	38,0	36,4
Neighbourhood	25,5	25,8
Shopping	22,8	24,8
Police	20,3	20,3
Hospital	18,9	18,3
Doctors	17,4	16,7
Courts	14,7	14,7
Clubs	10,2	9,5
Restaurant	9,7	13,2
Associations	7,9	7,8

Source: M. Sauer (2009) Türkischstämmige Migranten in Nordrhein-Westfalen und in Deutschland: Lebenssituation und Integrationsstand. Ergebnisse der neunten Mehrthemenbefragung, Essen: ZfT, p. 166

Right-wing extremist incidents in schools in Berlin

Table 14: Extremist incidents in Berlin schools in 2003/04, 2004/05, 2005/06, 2006/07 and 2007/08

School year	2003/04	2004/05	2005/06	2006/07	2007/08
Number of extremist incidents registered	39	62	80	88	33*

Source: Berlin/Senatsverwaltung für Bildung, Wissenschaft und Forschung (2008) Gewaltsignale and Berliner Schulen;
Berlin/Senatsverwaltung für Bildung, Wissenschaft und Forschung (2009) Bildung für Berlin – Gewaltprävention an Berliner Schulen.
Schuljahr 2007/08

* The majority of these incidents were described as smearing of swastikas and Nazi slogans, provocation by showing the Hitler Salute in the classroom and xenophobic and anti-Semitic statements.

Extreme right-wing incidents in Saxon schools

Tab. 15: Extreme right-wing incidents in Saxon schools in 2006/07 and 2007/08

Year	2006/07	2007/08
Total number of incidents	107	187
<i>Of which: xenophobic incidents</i>	4*	3**
Type of criminal offence		
Insult (§ 85 criminal code)	-	1
Threat (§ 241 criminal code)	-	1
Violation of the law for the protection of children and youth	-	12
Bodily harm (§ 223 criminal code)	-	1
Dissemination of propaganda material of anti-constitutional organisations (§ 86 criminal code)	-	8
Disparagement of the State and its symbols (§ 90a criminal code)	-	6
Use of symbols of unconstitutional Organisations (§ 86a criminal code)	91	131
Incitement (§ 130 criminal code)	16	9
Damaging property (§ 303 criminal code)	-	18

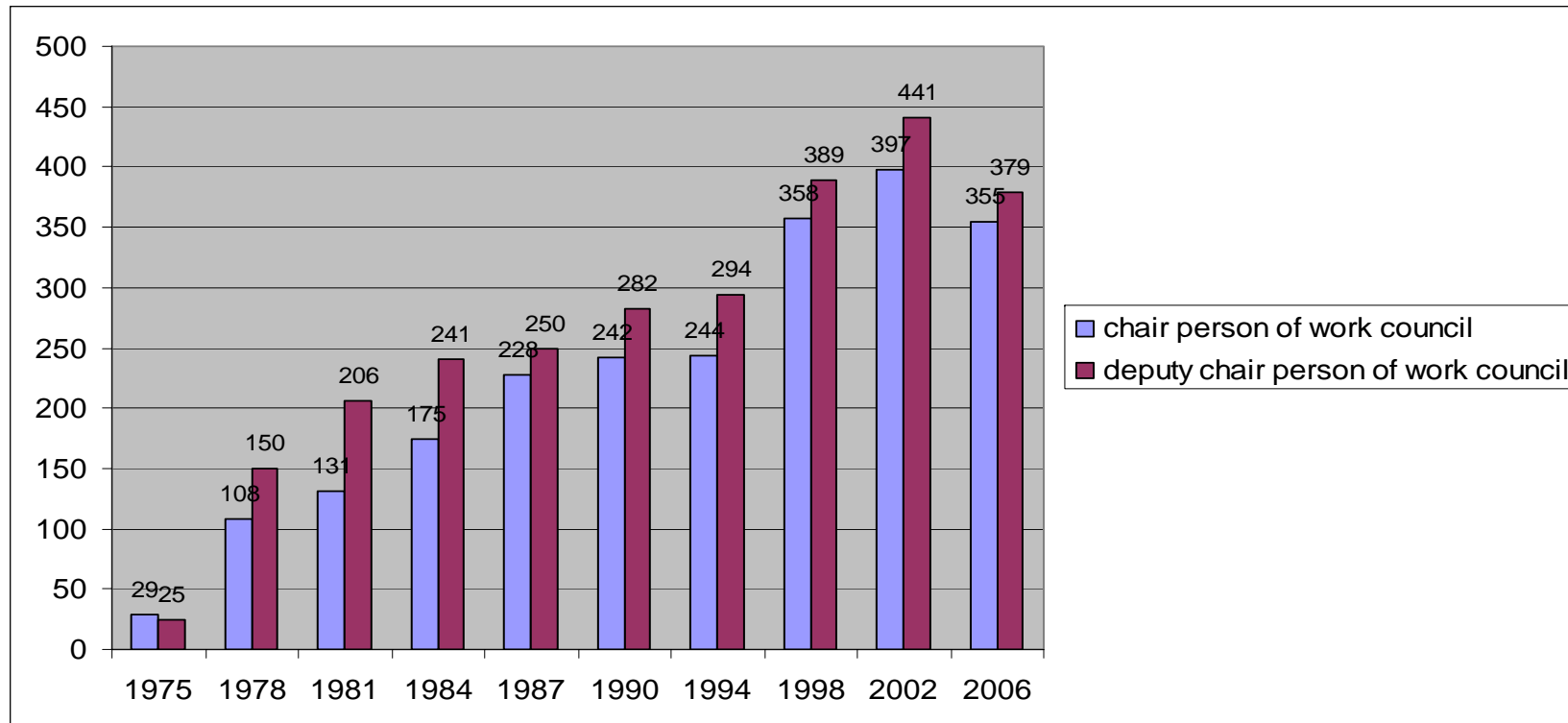
Source: Source: Saxony State Parliament (02.11.2007), printed matter4/10043; Saxony State Parliament (14.11.2008), printed matter4/13450

* All cases are incidents according to §130 criminal code

** One case according to §303 criminal code, two cases according to §86a criminal code

Participation of non-Germans in workers representations

Graph 1: (Deputy) Chair person of work councils of foreign origin in the area of the trade union IG Metall (metal industry)



Source: D. Thränhardt (2009) 'Deutschland 2008. Integrationskonsens, pessimistische Erinnerungen und neue Herausforderungen durch die Globalisierung', in: Friedrich-Ebert-Stiftung (ed.) Einwanderungsgesellschaft Deutschland. Wege zu einer sozialen und gerechten Zukunft. Tagungsdokumentation des Gesprächskreises Migration und Integration, Bonn: FES, p.55

Annex 2 – Positive initiatives

Area:	Employment
Title (original language)	GleichbeRECHTigt?
Title (EN)	Equal Opportunities?
Organisation (original language)	Mach meinen Kumpel nicht an e.V. (Verein gegen Ausländerfeindlichkeit und Rassismus) Hans Böckler Stiftung
Organisation (EN)	Association against Xenophobia and Racism Hans Böckler Foundation
Government / Civil society	Civil society
Internet link	http://www.gelbehand.de/cms/index. cGkPTY3OA .html http://www.gelbehand.de/data/2009_ap_179_1.pdf (manual)
Type of initiative	Awareness raising Training, education Improving Employment skills
Main target group	Employers and their associations Employees and their associations
Brief description	The non-governmental project “GleichbeRECHTigt?!” was carried out by the anti-racism association, affiliated with the trade unions, between April 2007 and May 2009. The general objective of the project, commissioned by the Hans Böckler Foundation, was to promote equal chance for migrants in the employment sector in times when the increasingly precarious situation of many employees (e.g. low income jobs, temporary and subcontracted labour) poses new challenges for the principle of tolerance and equal opportunities for migrants. Expert key actors in the companies and trade unions were interviewed on workplace related anti-discrimination and equality measures; the results of these expert interviews were documented and fed into a practical manual (online available); moreover, the manual served as a core input for the development of further training units that seek to raise awareness on precarious employment, structural and daily discrimination in employment and effective countermeasures. These training units are also made available within the manual.

Area:	Employment, Health
Title (original language)	Qualifizierung "Deutsch, EDV und Berufsorientierung im Pflegebereich"
Title (EN)	Qualification "German, computing and occupational orientation in the maintenance area"
Organisation (original language)	VHS Tempelhof-Schöneberg (Berlin)
Organisation (EN)	Adult Education Centre Tempelhof-Schöneberg (Berlin)
Government / Civil society	Civil society
Internet link	http://www.berlin.de/ba-tempelhof-schoeneberg/vhs/rubrik/projekt/ http://www.vhsit.berlin.de/VHSKURSE/BusinessPages/CourseList.aspx
Type of initiative	Training, education Improving Employment skills
Main target group	Women Migrants
Brief description (max. 1000 chars)	<p>This one-year qualification programme, offered by the local adult education centre (VHS) Tempelhof-Schöneberg (Berlin), is open for migrant women with basic German proficiency (A2.2). The participants will acquire work related German skills and basic IT skills; moreover they will take part in an introduction course on (health) care, which comprise a first aid course and an internship. At the end of the qualification course, the successful participants will receive an official certification for the German and also for their basic IT skills.</p> <p>The VHS also offers a 15-week advanced training course that deepens the skills acquired during the one-year basic programme. The participants pay 49 EUR per semester; the programme is financially subsidised by the <i>Land</i> Berlin and through ESF funding.</p> <p>It was selected as a good practice as it increases the employability of migrant women and simultaneously seeks to address the problem of the under-representation of migrant employees in the health care system.</p>

Area:	Employment
Title (original language)	Ausbildung in Sicht
Title (EN)	Apprenticeship in sight
Organisation (original language)	Deutsche Angestellten-Akademie (DAA)
Organisation (EN)	Education institute <i>German Academy for Employees</i> (DAA)
Government / Civil society	Civil society
Internet link	http://www.ausbildung-in-sicht.de/ http://www.ausbildung-in-sicht.de/index.php?sessionLanguage=en (English)
Type of initiative	Training, education
Main target group	Youth (children, young people, students) Migrants Improving Employment skills
Brief description (max. 1000 chars)	<p>The Berlin branch of the non-governmental adult education institute DAA offers a six-month training for young people (up to the age of 25) with a migration background which aims to increase their employability. During the first four weeks of the programme, the migrants' German skills and their occupational and general skills are examined; in addition their occupational ambitions and goals are identified. Based on these analyses, the DAA develops together with the participants a tailored plan of action for the subsequent five months of the programme, which comprises German language tuition, job application training and, most importantly, an internship in a company. During this internship, the participants receive support by the DAA in order to help solve problems and achieve their occupational goals. Ideally, the migrants continue to work or start an apprenticeship in these companies. At the end of these six months programmes, the participants receive a DAA certificate.</p> <p>The programme is funded through ESF means and by the <i>Land</i> Berlin; it is free of charge for the participants. Similar programmes are being offered by other institutions in Berlin until the end of 2009.</p>

Area:	Employment, participation of minorities in public life
Title (original language)	Bikulturelle Crossmediale Fortbildung für junge Migranten
Title (EN)	Bicultural cross-media vocational training for young migrants
Organisation (original language)	BWK BildungsWerk in Kreuzberg GmbH, Berlin
Organisation (EN)	Kreuzberg educational centre (Ltd.), Berlin
Government / Civil society	Civil society
Internet link	http://www.bwk-berlin.de/show/2607546.html http://www2.bwk-berlin.de/uploads/bwk_fl_crossmediale_neu.pdf (flyer)
Type of initiative	Training, education Media and media training
Main target group	Youth (children, young people, students) Migrants
Brief description (max. 1000 chars)	<p>The non-governmental educational centre BWK in Kreuzberg (Berlin) offers a 15 month media training for mainly young migrants with some media related experiences and good school attainments. The training imparts theoretical and practical aspects of journalistic work and media production; it also encompasses a six month internship at one of the participating German and/or Turkish media partners (TV, radio and print media). The participants receive practical assistance during the entire training from media institutes and experienced mentors, seeking to facilitate the embedding of the training in real life and the transition between the programme and the job afterwards.</p> <p>The programme, which started in September 2009, is supported by the Federal Ministry of Education and Research, the Berlin Senate Integration Commissioner, the Employment Agency and a several media experts and journalists (e.g. from the network of migrant journalists <i>Neue Deutsche Medienmacher</i>). The general aim of the project is to assist and encourage young migrants in their journalistic ambitions and, by doing so, increasing their representation in the media production. It was set up as a part of the implementation of the National Integration Plan.</p>

Area:	Employment
Title (original language)	Beratungsstelle für undokumentiertes Arbeiten
Title (EN)	Counseling Office for undocumented work
Organisation (original language)	Ver.di Hamburg
Organisation (EN)	Trade union Ver.di (Hamburg)
Government / Civil society	Civil society
Internet link	http://bb.verdi.de/presse/pressemitteilungen/showNews?id=99b08726-0ca3-11de-64e6-0019b9e321cd
Type of initiative	Support, advice to immigrants/minorities Legal advocacy
Main target group	[undocumented] migrants
Brief description (max. 1000 chars)	In March 2009, the trade union Ver.di (Service sectors) established a contact point especially for undocumented people in Hamburg. This contact point offers advice in issues related to labour law and social rights to people without legal documents, primarily undocumented migrants. This Ver.di office seeks to facilitate an equal and fair access to rights and protection especially for people without a legal (residence) status; it cooperates closely with other local non-governmental organisations that provide assistance to refugees and (undocumented) migrants in the area of health care or other social realms. The contact point, which is located in the Ver.di office, is only open during certain days of the week.

Area:	Employment
Title (original language)	XENOS – Arbeitsmarktliche Unterstützung für Bleibeberechtigte und Flüchtlingen
Title (EN)	XENOS – labour market related support for refugees entitled to stay
Organisation (original language)	Bundesministerium für Arbeit und Soziales
Organisation (EN)	Federal Ministry of Labour and Social Affairs
Government / Civil society	Government
Internet link	http://www.esf.de/portal/generator/6592/xenos.html http://www.esf.de/portal/generator/6666/xenos_bleiberechtprogramm_inhalt.html
Type of initiative	Improving employment skills Awards, grants
Main target group	Public authorities Asylum seekers, refugees
Brief description (max. 1000 chars)	<p>The Federal Ministry of Labour and Social Affairs launched a special programme within the large-scale funding scheme XENOS that seeks to improve the labour market integration of certain groups of refugees who are allowed to stay in Germany. Funding is provided to local and regional networks which assist the target group in securing employment and provide further training to those who have a job already in order to enhance their chances to keep their job. Between September 2008 and October 2010, 43 council networks are being funded which encompass approx. 220 individual projects. The aim of the funding programme is to reach and support at least 3,000 refugees. The total budget of this special programme is 34 million EUR, of which the federal ministry provides 19 million, 12 million EUR are provided as ESF means.</p> <p>The background of the funding programme is a legal amendment to the Residence Act in 2007 (Sec. 104a) which offered thousands of migrants with a short-term toleration certificate (<i>Duldung</i>), who have been living in Germany for at least six or eight years respectively, the perspective to obtain a long-term residence status provided they meet certain criteria, most importantly, finding a permanent job until the end of 2009.</p>

Area:	Employment
Title (original language)	EVA – Erfolg durch Vielfalt und Arbeit
Title (EN)	Success through Diversity and Work
Organisation (original language)	Regio Vision GmbH Schwerin
Organisation (EN)	Regio Vision GmbH Schwerin
Government / Civil society	Civil society
Internet link	http://www.regiovision-schwerin.de/projekte/eva.html
Type of initiative	Improving employment skills Training, education Awareness raising
Main target group	Employers and their associations Public authorities Migrants
Brief description (max. 1000 chars)	<p>The non-governmental project EVA seeks to foster a positive intercultural environment in public authorities and private companies and to promote the labour market integration of migrants in the region of Western Mecklenburg.</p> <p>The project consists of several elements: the intercultural orientation of 450 companies in the region is examined by questionnaire-based face-to-face interviews. During these interviews, Regio Vision also seeks to raise awareness within the companies on the assets of an intercultural workforce. In order to enhance the intercultural orientation also in public authorities, intercultural trainings are carried out for employees of public authorities, based on a systematic assessment of the specific training needs. Parallel to these employer related activities, professional job mentors offer special (multilingual) support to unemployed migrants for 15 months (April 2009 – July 2010); this includes eight months of training on job related German and computer skills and other skills related to the service industry (e.g. hospitality, courier services, nursing assistants, cleaning). The project EVA is financially supported within the funding programme XENOS of the federal ministry for labour and social affairs, by ESF means and the local employment and social welfare agency ARGE Schwerin.</p>

Area:	Employment
Title (original language)	Wettbewerb "Vielfalt gewinnt"
Title (EN)	Competition "Diversity wins"
Organisation (original language)	Stadt Köln Agentur für Arbeit
Organisation (EN)	City of Cologne Employment Agency
Government / Civil society	Government
Internet link	http://www.stadt-koeln.de/7/wirtschaftsstandort/02583/ http://www.fhm-bielefeld.de/fileadmin/user_upload/PDF/FHM-Website/Weiterbildung/Kompetenzzentrum/flyer_vielfalt_gewinnt_web.pdf (flyer)
Type of initiative	Awards, grants Awareness raising
Main target group	Employers and their associations
Brief description (max. 1000 chars)	<p>In 2009, the City of Cologne, together with the local employment agency, launched for the first time the local competition "Diversity wins". Employers (in the category "small", "medium-sized" and large companies as well as "public institutions") were invited to participate in the competition by presenting their diversity and equality concepts. The jury awarded nine companies that pay particular attention to the issue of diversity at the workplace and are characterised by a fair and discrimination-free work environment and corporate culture.</p> <p>The objective of this competition, which will be carried out on a regular basis on in the future, is to strengthen public awareness for diversity. The awards were presented within the scope of a large public event in Cologne.</p>

Area:	Employment
Title (original language)	ESF-BAMF Programm Berufsbezogene Sprachförderung
Title (EN)	ESF-BAMF programme Promotion of Job related Language skills
Organisation (original language)	Bundesministerium für Arbeit und Soziales Bundesamt für Migration und Flüchtlinge (BAMF)
Organisation (EN)	Federal Ministry of Labour and Social Affairs Federal Office for Migration and Refugees
Government / Civil society	Government
Internet link	www.esf.de/portal/generator/806/programm_staerkung_berufsbezogenen_sprachkompetenz.html http://www.bmas.de/portal/27374/
Type of initiative	Training, education Improving Employment skills
Main target group	Migrants
Brief description (max. 1000 chars)	<p>The BAMF coordinates the large-scale programme on strengthening job related German skills which targets (mostly unemployed) migrants who need to improve their German proficiency in order to increase their employability.</p> <p>Prior to the course, the skills and competence of the participants are systematically assessed in order to determine which courses are suited the best. The courses, which are carried out by various institutions all over Germany, consists of maximum 730 lesson units and lasts usually between six and 12 months. The programme encompasses language lessons which cover grammar and vocabulary and reading/writing units that are particularly relevant at the workplace. The second major element of these courses emphasises job related qualification; the content of these modules depends on the specific occupational requirements and may contain theoretical lesson (e.g. maths, IT skills, job application training), internships and visits to companies. The course is free of charge; successful participant receive a certificate.</p> <p>The programme is funded by the federal ministry for labour and social affairs with ESF means; during the ESF funding period 2007-2013 some 330 million EUR are available for this programme; the federal ministry anticipates that some 30,000 migrants will participate in the programme.</p>

Area:	Housing, participation of minorities in public life
Title (original language)	Fasanenhof Sozial und Interkulturell aktiv
Title (EN)	Fasanenhof – socially and interculturally active
Organisation (original language)	Caritas Stuttgart
Organisation (EN)	Caritas (welfare agency of the Catholic Church) Stuttgart
Government / Civil society	Civil society
Internet link	http://www.caritas-stuttgart.de/37478.html
Type of initiative	Community cohesion – social integration Intercultural dialogue Support, advice to immigrants/minorities Cultural activity
Main target group	Migrants
Brief description (max. 1000 chars)	<p>The non-governmental project <i>Fasanenhof Sozial und Interkulturell aktiv</i> (2006-2009) aims at strengthening the active participation of migrants in the social life of the neighbourhood and promoting positive contacts between migrant and native residents in Stuttgart-Fasanenhof (neighbourhood participating in the <i>Social City</i> programme since 2003). In an early stage of the three year project (in late 2006), a central office was established in the neighbourhood which offers advisory services and functions as a coordination centre for numerous project activities, such as joint excursions and breakfast get-togethers, sport and holiday offers for migrants and natives and opportunities to meet each other (e.g. an intercultural network of native residents and migrants of Russian origin). Moreover, a mediation service was set up which offers assistance in finding constructive solutions of neighbourhood conflicts. The office also provided or coordinated language courses, job application trainings and cultural and information events.</p> <p>The project received funding from the Federal Office for Migration and Refugees (BAMF) and is considered very successful, especially in terms of enhancing local networks between migrants and non-migrants and its public relation work.</p>

Area:	Housing
Title (original language)	Stadtteilerneuerung und Quartierszentrum BauHof in Wiesbaden-Biebrich
Title (EN)	Neighbourhood Renewal and the neighbourhood centre BauHof in Wiesbaden-Biebrich
Organisation (original language)	Caritas Wiesbaden-Rheingau-Taunus e.V., Programm Soziale Stadt
Organisation (EN)	Caritas (welfare agency of the Catholic Church), Programme Social City
Government / Civil society	Civil society
Internet link	http://www.caritas-wiesbaden-rheingau-taunus.de/39759.html www.bmvbs.de/Anlage/original_1060313/Integration-vor-Ort-Der-Nationale-Integrationsplan-Zwischenbilanz.pdf (background information, pp. 50-51)
Type of initiative	Community cohesion – social integration Intercultural dialogue Cultural activity
Main target group	General public Migrants
Brief description (max. 1000 chars)	In Biebrich-Südost in Wiesbaden, an integrated strategy of social and constructional measures in combination with an active involvement of residents has been deployed with the aim to improve the general reputation of and the liveability in the multi-ethnic district. At the core of the development process was a formerly neglected industrial area, called BauHof, which was turned into a community centre. The BauHof, run by the local Caritas office, organises various integration offers for children and adults (e.g. language courses, courses for migrant parents, advice and support in daily life), training, cultural and leisure time activities. It aims at strengthening the active participation of migrant residents and at supporting intercultural initiatives such as an award-winning theatre project on the history of migration in the neighbourhood. In addition to these social and cultural activities, the second major pillar was the constructional renewal of the neighbourhood, which went beyond the transformation of the BauHof: in cooperation with the local housing company and the active participation of residents, many small dwelling units were turned into larger flats suitable for family and public places were transformed. In the meantime, several follow-up projects have been initiated thanks to the active involvement of the residents and the neighbourhood management. The goals of the project, funded within the governmental programme Social City, are regarded as accomplished.

Area:	Housing, participation of minorities in public life
Title (original language)	Wir gestalten unser Stadtteil gemeinsam – Empowerment von Mietern/Stadtteilbewohnern mit und ohne Migrationshintergrund
Title (EN)	We shape our neighbourhood together – Empowerment of tenants/neighbourhood residents with and without a migration background
Organisation (original language)	GEWOBAU Erlangen
Organisation (EN)	GEWOBAU (public housing company of the City of Erlangen)
Government / Civil society	Governmental
Internet link	www.gewobau-erlangen.de
Type of initiative	Intercultural dialogue Community cohesion – social integration Encouraging political participation
Main target group	General public Migrants
Brief description (max. 1000 chars)	The one-year project, funded by the Federal Office for Migration and Refugees (BAMF) and coordinated by the public housing company of the City of Erlangen (GEWOBAU), pursues two major goals: (1) an intercultural transformation of the GEWOBAU's services, approaches and structures and (2) the active participation of migrant <i>and</i> non-migrant residents in the neighbourhood Erlangen-Anger. To achieve these goals, GEWOBAU carries out intercultural training courses for one third of their employees to enable them to act adequately in intercultural conflicts and encourage migrant residents to more participation. At a later stage of the project, GEWOBAU and the municipal integration department are planning to select and implement a specific strategy to encourage both migrant and non-migrant residents to participate in the neighbourhood life. The project is scientifically evaluated – together with another neighbourhood-based project in Nuremberg that also seeks to activate migrants and non-migrants, though applying a different approach (participation through the establishment of an Intercultural Garden). The goal of the joint evaluation is to identify principles that increase the chance of strengthening the participation of migrants and natives in the neighbourhood.

Area:	Housing
Title (original language)	Brücken bauen zwischen den Welten
Title (EN)	Building bridges between the worlds
Organisation (original language)	Planerladen e.V.
Organisation (EN)	Planerladen (association)
Government / Civil society	Civil society
Internet link	http://www.planerladen.de/97.html http://www.planerladen.de/uploads/media/Bruecken_bauen_01.pdf (flyer)
Type of initiative	Intercultural dialogue Social cohesion
Main target group	General public Migrants
Brief description (max. 1000 chars)	The non-governmental neighbourhood project, funded by the Federal Office for Migration and refugees (BAMF) for three years until 2009, addresses the problem of social and/or interethnic conflicts in the multi-ethnic neighbourhood Dortmund-Nordstadt. The project, coordinated by Planerladen in cooperation with several housing companies, seeks to foster the constructive mediation of neighbourhood conflicts between different ethnic or cultural groups through an early intervention and constructive dialogues between the conflict parties; the core approach is to disclose the real roots of the conflicts beyond ascribed ethnic reason. In the meantime, the project team has become active in some 140 conflicts; in most of them a sustainable solution could be reached. In addition to various measures of public awareness raising (e.g. leaflets, posters, website, newsletter, conferences, meetings), the project coordinator offers professional long and short-term mediations in the neighbourhood as well as workshops on intercultural conflict mediation for relevant actors of housing companies (e.g. facility managers). Pursuing a sustainable impact, several residents with and without migration background were trained to volunteer as intercultural conflict mediators in the neighbourhood (supported by the Planerladen).

Area:	Health and social care
Title (original language)	Allgemeinen Verwaltungsvorschrift zum Aufenthaltsgesetz
Title (EN)	General Administrative Regulations to the Residence Act
Organisation (original language)	Bundestag Bundesrat
Organisation (EN)	Federal Parliament (Lower and Upper House)
Government / Civil society	Government
Internet link	www.bundesrat.de (Bundesrat, printed matter No. 669/09)
Type of initiative	Codes of ethics, code of conduct
Main target group	[Undocumented] migrants
Brief description (max. 1000 chars)	<p>On its 861st session (18.09.2009), the Upper House of the German Parliament passed the General Administrative Regulations to the Residence Act (TOP 54). These regulations, which refer to Sec. 87 Residence Act (AufenthG), make it easier for undocumented migrants to obtain medical treatments at hospitals without be reported to the municipal department for foreigners' affairs (<i>Ausländeramt</i>), which is also in charge of deporting undocumented migrants. The new provisions clarify that the municipal department for social affairs (<i>Sozialamt</i>), asked by the hospital to reimburse the costs for the treatment of the undocumented foreigner, must not inform the municipal department for foreigners' affairs (<i>Ausländeramt</i>) about undocumented migrants. In such cases, the medical discretion is extended to the <i>Sozialamt</i>. If the undocumented migrant gets in personal contact with the <i>Sozialamt</i>, however, the <i>Sozialamt</i> remains obligated to report the person to the <i>Ausländeramt</i>. The new regulations lower the barrier that undocumented migrants face when accessing the health care system.</p> <p>The new regulations also underscore that the obligation to report undocumented migrants to the <i>Ausländeramt</i> only applies to statutory bodies and not to other people (e.g. social workers) who find out about the undocumented status of a person.</p>

Area:	Health and social care
Title (original language)	Koordinationsstelle Migration und Gesundheit
Title (EN)	Coordination body Migration and Health
Organisation (original language)	Stadt Nürnberg, Gesundheitsamt
Organisation (EN)	City of Nuremberg, Health department
Government / Civil society	Government
Internet link	http://www.nuernberg.de/internet/gesundheitsamt/migration.html#0
Type of initiative	Support, advice to immigrants/minorities
Main target group	Migrants
Brief description (max. 1000 chars)	<p>The Federal Office for Migration and Refugees (BAMF) financially supports the three-year project of the municipal health department in Nuremberg that aims to identify existing barriers in the access to health care services for migrants and to find adequate ways to redress them. The two core target groups are Russian speaking migrants and migrants of Turkish origin. As a first step, a Health Care Manual was compiled that lists the contact details of medical practice and other health related institutions in Nuremberg which provide their services in migrant languages. This brochure was then distributed to migrant organisations and other institutions that offer support to migrants. Moreover, an advisory board was set up that searches for new developments in the local health care service for migrants and strengthen the network of the health department with other relevant actors. In order to institutionalise the exchange of information between relevant local multipliers, a working group was established that comes together on a regular basis. In the meantime, the municipal coordination body published a series of comprehensive information materials on health issues in German, Turkish and Russian (e.g. on dental care, preventive medical examination of children, HIV, complaint bodies for patients, Hepatitis, health emergencies). The project is expected to have a sustainable impact on the migrants' access to health care services also after the end of the funding period in December 2009.</p>

Area:	Health and social care
Title (original language)	Chancen durch Integration – Ratgeber für Familien
Title (EN)	Chances through Integration – Advice for Families
Organisation (original language)	Bundesregierung
Organisation (EN)	Federal Government
Government / Civil society	Government
Internet link	http://www.bundesregierung.de
Type of initiative	Support, advice to immigrants/minorities
Main target group	Migrants
Brief description (max. 1000 chars)	<p>In September 2009, the Federal Commissioner for Integration presented the publication <i>Chances through Integration</i> which provides practical information for migrants and their families on various aspects of daily life, including health issues and health related support offers and assistance mechanisms as well as relevant contact addresses for further information. Besides information on, integration support programmes, education and housing, the publication encompasses practical information on preventive health measures, vaccinations, support and preventive measures during pregnancy, various diseases, disabilities, health insurance related issues, consumer protection and special assistance for unemployed people, victims of violence.</p> <p>This 200-page advice manual for migrant families is available as a bilingual version in German/Turkish and in German/Russian. The publication is regarded a part of the implementation of the National Integration Plan of the federal government.</p>

Area:	Health and social care
Title (original language)	Kooperationsprojekt „Mitten im Leben“
Title (EN)	Cooperation projects “In the Centre of Life”
Organisation (original language)	Diakonie-Bundesverband (DW EKD), together with Landesverbände Diakonisches Werk Baden, Diakonisches Werk Hamburg und Diakonisches Werk Berlin-Brandenburg-Schlesische Oberlausitz
Organisation (EN)	Federal Welfare Organisation of the Portestan Chruch Diakonie together with three regional associations of the Diakonie Baden, Hamburg and Berlin-Brandenburg-Schlesische Oberlausitz
Government / Civil society	Civil society
Internet link	http://www.diakonie.de/kooperationsprojekt-mitten-im-leben-5296.htm
Type of initiative	Training, education Intercultural dialogue
Main target group	Employers and their associations Employees and their associations
Brief description (max. 1000 chars)	<p>In late 2008, the Diakonie (DW EKD) and three of its regional branches launched the three year project <i>Mitten im Leben</i>, which seeks to redress existing structural barrier that migrants face in the access to social and health care services of the Diakonie. More precisely, the process of intercultural adaptation (“Intercultural Opening”) of health and social care providers should be promoted on several levels: through organisational changes, culturally sensitive internal and external communication, changes regarding the staff and the quality of the services provided. In all participating Diakonie branches intercultural workshops are being carried out and the organisational adaptation to as multi-ethnic clientele will be initiated and supported. Moreover, a systematic exchange of experiences between all participating actors is being set up in order ‘to analyse the processes of Intercultural opening, and to achieve synergistic effects’; the findings and insights gained through theses exchange activities will be made available on an online platform.</p>

Area:	Health and social care, participation of minorities in public life
Title (original language)	Babel – ehrenamtliche Sprach- und Kulturmittelnde
Title (EN)	Babel – volunteers in language and culture mediation
Organisation (original language)	Fachberatungsdienst Zuwanderung, Integration und Toleranz im land Brandenburg (FaZIT) an der Gesellschaft für Inklusion und Soziale Arbeit e.V..
Organisation (EN)	Expert Counseling Office Migration, Integration and tolerance at the Society for Inclusion and Social Work (association)
Government / Civil society	Civil society
Internet link	http://fazit-brb.de/babel.html
Type of initiative	Support, advice to immigrants/minorities Awareness raising
Main target group	Migrants Asylum seekers, refugees
Brief description (max. 1000 chars)	<p>In August 2004, the non-governmental organisation FaZIT, started to set up a group of migrant volunteers, called Babel, which provides assistance to migrants with low German skills in the access to the health and social care system in Brandenburg. The general aim of the Babel group is to help to ensure equal access to medical services for all, including refugees and asylum seekers. In the meantime some 40 volunteers, who have all undertaken specific training courses, accompany migrants to the doctor, the hospital or public authorities and help overcome language and cultural barriers – usually free of charge. Simultaneously, the Babel service is meant to increase the awareness of medical and social care staff.</p> <p>The initiative has received very positive feedback from medical experts and was awarded for its involvement of migrants in volunteer work by the Foundation <i>Bürger für Bürger</i> in 2009. The Babel initiative is finically supported by the Land Brandenburg and by EFF means.</p>

Area:	Health and social care
Title (original language)	All inclusive
Title (EN)	All inclusive
Organisation (original language)	IBIS – Interkulturelle Arbeitsstelle e.V.
Organisation (EN)	IBIS – Intercultural Office (association)
Government / Civil society	Civil society
Internet link	http://www.allinclusiveproject.eu/ http://www.ibis-ev.de/index_0_0_1_168.html
Type of initiative	Awareness raising Training, education Support, advice to migrants/minorities
Main target group	Migrants
Brief description (max. 1000 chars)	<p>The two-year EU-project All inclusive was initiated in 2008, the European Year for Intercultural Dialogue, and funded within the EU programme Grundtvig 1; it is carried out by six institutions in six EU countries and aims to redress the barriers that migrants with disabilities face in the health and social care system. The project is based on the assumption that migrants with disability are disadvantaged in the care system due to the lacking networks between disability institutions and migrant organisations, the high level of bureaucracy in the disability care system, individual information deficits and social and cultural communication problems. In order to tackle these problems, the German project partner IBIS (similar to the other partner institutions) seeks to enhance the cooperation between migrants and migrant organisation with institutions that offer services for disabled people. The barriers for migrants with disabilities are identified (e.g. with an online questionnaire-based survey among disabled) and addressed with a set of concrete measures, such as awareness raising trainings for institutions. The project results (including good practice measures) are analysed and published as a joint manual by all project partners, which should contribute to a sustainable impact. Moreover, a certification system for public and private institutions that offer assistance to people with disabilities is envisaged.</p>

Area:	Health and social care
Title (original language)	Alo!Sağlık – medizinisches Beratungsprogramm für Menschen türkischer Herkunft und Sprache
Title (EN)	Alo!Sağlık – medical advisory programme for people of Turkish origin and language
Organisation (original language)	Türkisch- Deutsche Gesundheitsstiftung Krankenkasse City BKK MD Medicus (private health service provider)
Organisation (EN)	Turkish-German Health Foundation (statutory) Health insurance City BKK MD Medicus (private health service provider)
Government / Civil society	Civil society
Internet link	http://www.alosaglik.de/
Type of initiative	Support, advice to immigrants/minorities
Main target group	Migrants
Brief description (max. 1000 chars)	In August 2009, a new phone hotline service was launched that offers information and expert advice in Turkish language on prevention and other health related measures, specifically for families with babies and young children. Initiated by the Turkish-German Health Foundation, the health insurance BKK City and private health care provider MD Medicus, this service addresses the problem that migrant families make significantly less use of vaccination, early childhood examinations and other preventive health offers due to insufficient information about such offers. Doctors and other medical experts who speak Turkish and have a Turkish socio-cultural background provide expert advice to migrant parents via the phone hotline. A website (including a poster and leaflet) has been set up to promote the service. The service runs under the auspices of the Federal Commissioner for Integration.

Area:	Health and social care
Title (original language)	Modellprojekt zur interkulturellen Öffnung niedersächsischen Krankenhäuser
Title (EN)	Model project Intercultural Opening of hospitals in Lower Saxony
Organisation (original language)	Landesvereinigung für Gesundheit und Akademie für Sozialmedizin Niedersachsen e.V. (LVG & AfS) Niedersächsische Ministerium für Inneres, Sport und Integration
Organisation (EN)	State Federation for Health and Academy for Social Medicine Lower Saxony (association) Lower Saxony State Ministry for the Interior, Sport and Integration
Government / Civil society	Civil society Government
Internet link	http://www.gesundheit-nds.de/arbeitsschwerpunkte/uebersicht/migrationundgesundheit.htm
Type of initiative	Training, education
Main target group	[hospitals] migrants
Brief description (max. 1000 chars)	<p>The starting point of this model project is the assumption that hospitals in Lower Saxony are not sufficiently adapted to a multi-ethnic and multi-lingual clientele; this shortcoming entails, amongst others, deficits in the quality of medical care for migrants. The Lower Saxony state ministry of the interior, sport and integration commissioned this model project, which is carried out in two hospitals, to show how hospitals can address these problems. The main activities of the project are the development and testing of training measures for hospital staff by the LVG & AfS; the training encompasses three modules: (1) Intercultural sensitivity, (2) Insights in other cultures and migration and (3) development of practical approaches and strategies in exemplary cases. Local migrant groups are involved in some of these training sessions. Moreover, the hospitals are assisted in implementing structural changes (e.g. setting up a praying room for Muslim patients) and in integrating the concept of culturally sensitive treatment into their corporate identity. The experiences and findings of the model project (October 2008 to end of 2009) will be analysed and published and are meant to encourage other hospitals to implement similar changes.</p>

Area:	Health and social care
Title (original language)	Familie – Migration – Baby
Title (EN)	Family – Migration – Baby
Organisation (original language)	Gesundheitsamt Hamm
Organisation (EN)	Health Department at the City of Hamm
Government / Civil society	Government
Internet link	http://www.hamm.de/migration_11067.html
Type of initiative	Training, education
Main target group	Migrants
Brief description (max. 1000 chars)	<p>In 2008, the municipal health department in Hamm initiated the local project Fa-Mi-Baby (Family – Migration – Baby), which seeks to provide support to new parents with a migration background at a very early stage, ideally already during pregnancy or shortly after birth. Based on the conviction that individual information events are not sufficient, the health department was planning to offer long-term informal meeting opportunities for migrant mothers, where the mothers can exchange experiences and information.</p> <p>Some 20 migrant women, most of them of Turkish origin, received a special training between August and November 2008 that enabled them to address and encourage migrant mothers to participate in such informal group meetings; moreover, the training equipped them with necessary knowledge on health care for children and with pedagogical skills to initiate and moderate these groups. After the training, the migrant women started to contact migrant mothers with young babies and encouraged them to join these group meetings. Since January 2009, the first four groups have been set up in two neighbourhoods in Hamm, which are moderated by the migrant women, who are continuously supported by the municipal health department.</p>

Area:	Education
Title (original language)	Gesamtkonzept des Landes Bayern zur Integration von Schülern mit Migrationshintergrund
Title (EN)	Bavarian State Concept on the Integration of students with a migration background
Organisation (original language)	Kultusministerium Bayern
Organisation (EN)	Ministry of education in the federal state of Bavaria
Government / Civil society	Government
Internet link	http://www.stmas.bayern.de/migration/material/auslby08.pdf
Type of initiative	Training, education
Main target group	Youth (children, young people, students) Teachers Migrants
Brief description (max. 1000 chars)	<p>In March 2009, the Bavarian State Ministry of Education passed a framework concept on the integration of migrant students which encompasses various measures aiming to foster the educational attainments of migrants and their participation in society; some of the measures are already operational and should be enhanced, others are about to be introduced in the near future. The language support programmes at school are to be extended and intensified, e.g. through more individual support plans and the extension of support measures in high schools and vocational schools. Islam Education, which is currently only conducted within the scope of the 'Erlanger model' project, will be successively expanded. New low-threshold advice and information offers for migrant families will be set up (e.g. through trained mentors). The integration concept also includes the plan to reduce the size of classes with a high proportion of migrant students (more than 50 per cent) to maximum 25 students in order to increase the possibilities of individual support.</p> <p>The state ministry also launched the Round Table "School integration of migrants" with experts from universities, migrant organisations and public authorities to establish an expert exchange platform and to push on with the implementation of the framework concept.</p>

	Education
Title (original language)	Sommerschule für Migrantenkinder im Saarland
Title (EN)	Summer school for children with a migration background in the Federal state of Saarland
Organisation (original language)	Ministerium für Bildung, Familie, Frauen und Kultur Saarland
Organisation (EN)	Saarland State Ministry of education, family, women and culture
Government / Civil society	Government
Internet link	http://www.saarland.de/40009.htm
Type of initiative	Training, education
Main target group	Youth (children, young people, students) Migrants
Brief description (max. 1000 chars)	<p>For the third time, the Saarland State Ministry of Education organised a summer school camp for migrant students with low German proficiency in July 2009. For three weeks during the summer holidays, 100 migrant students (primarily those who have not undergone their previous education in Germany) from several high schools participated in an intensive language programme with daily lessons between 9 am and 4 pm. The summer camp, carried out in 2009 under the motto “For peace in the world”, also encompassed creativity programmes, excursions and the rehearsal of a theatre play; an important element was the active involvement of the students’ parents. The programme was concluded with a large event in the office of the state ministry with the performance of the theatre play.</p> <p>The budget for this summer school programme amounts to 60,000 EUR; partners are the German Red Cross and the Robert Bosch Foundation.</p>

Area:	Education
Title (original language)	Rucksack KiTa
Title (EN)	Rucksack Day-Care centre
Organisation (original language)	Regionale Arbeitsstellen zur Förderung von Kindern und Jugendlichen aus Zuwandererfamilien RAA NRW Ministerium für Generationen, Familie, Frauen und Integration Freudenberg-Stiftung
Organisation (EN)	Regional office for the advancement of children and youth with a migration background NRW state ministry for generations, families, women and integration Freudenberg Foundation
Government / Civil society	Civil society Government
Internet link	http://www.raa.de/rucksack-kita.html http://www.rucksack-griffbereit.raa.de/67.html
Type of initiative	Training, education
Main target group	Migrants Teachers youth (children, young people, students)
Brief description (max. 1000 chars)	The early childhood (pre-school) programme Rucksack KiTa, coordinated by the RAA in NRW, seeks to improve the German <i>and</i> mother tongue skills of migrant children (up to the age of four) and to strengthen the active cooperation between the parents and the day care centres or pre-schools. Migrant kids receive systematic German language support in the participating day care centres and pre-schools; simultaneously, their parents are enabled to foster their children's linguistic development in their mother tongue at home. Practical manuals have been developed on parental work, language support at home and on teaching German as a second language in preschools. An important element of the programme are so-called Rucksack groups of migrant mothers, guided by specifically training supervisors with a migration background, who help the parents develop and improve their competence in supporting their children's linguistic and general development. The programme has been evaluated very positively; more than 4,500 parents have already participated in NRW and other <i>Länder</i> since 1999. Participating day care centres/pre-schools can be awarded a <i>Rucksack</i> certificate. The individual Rucksack project lasts for nine months; the programme is supported by the NRW state ministry and the Freudenberg Foundation.

Area:	Education
Title (original language)	Fair in der Kita
Title (EN)	Fair in the day-care centre
Organisation (original language)	Antidiskriminierungsbüro Sachsen
Organisation (EN)	Anti-discrimination office of the Federal state of Saxony
Government / Civil society	Civil society
Internet link	http://www.fair-in-der-kita.de/
Type of initiative	Training, education Awareness raising
Main target group	Employees and their associations
Brief description (max. 1000 chars)	<p>The non-governmental anti-discrimination office ADB Sachsen offers further training for educational staff and social workers in day-care centres, kindergartens and pre-schools. The training imparts basics of anti-discrimination education and strengthens the ability to prevent, recognise and actively tackle discrimination in their early childhood institutions. During the training, which is carried out with a variety of interactive and practical didactical methods, participants learn about different forms of discrimination (e.g. due to one ethnic origin, sex, social status, disability), how to reflect on their own educational work and how to respond adequately. The basic module of the training (two days) can be extended with an advanced module, both are free of charge. The offer is funded within the governmental funding programme <i>Vielfalt tut gut</i> and with funding from the Saxony state programme <i>Weltoffenes und Tolerantes Sachsen</i>.</p> <p>Within the scope of this programme, the ADB Sachsen cooperates with, amongst others, the German Institute for Human Rights. A project website was launched which offers background information on, for examples, prejudice -sensitive children books.</p>

Area:	Education
Title (original language)	Hintertorperspektive e.V.
Title (EN)	Perspective from behind the goal
Organisation (original language)	Hintertorperspektive e.V., founded by a group of football fans of the FC Carl Zeiss Jena
Organisation (EN)	Hintertorperspektive (association) founded by a group of football fans of the FC Carl Zeiss Jena
Government / Civil society	Civil society
Internet link	http://www.hintertorperspektive.de/
Type of initiative	Awareness raising
Main target group	Youth (children, young people, students)
Brief description (max. 1000 chars)	<p>In 2008, a group of young football fans of the club FC Carl Zeiss Jena founded the non-profit association Hintertorperspektive with the intention to stand up against intolerance and racism in football and in the society and to foster the mutual understanding between migrants and natives. Young people are encouraged to deal with their prejudices and become more sensitive to the issue of racism and tolerance. The organisation carries out information event and workshops, especially in schools and youth clubs, as well as intercultural football tournaments, organise public information stand s and distribute leaflets. Moreover, the NGO accompanies young migrants and natives to football games in order to promote integration and reduce mutual prejudices. In 2008 and again in 2009, a large festival for intercultural understanding, named Flutlicht, was organised with a diverse entertainment programme (e.g. bands and sport events), numerous speeches, workshops and information stands on (anti-)racism and tolerance in football and the society. The commitment of the organisation has been awarded the Julius-Hirsch Prize 2009 of the German Football Association DFB.</p>

Area:	Education
Title (original language)	Mentorenprojekt Nightingale in Berlin
Title (EN)	Mentoring programme Nightingale in Berlin
Organisation (original language)	Otto-Wels Grundschule (Berlin) Freie Universität Berlin
Organisation (EN)	Otto Wels Primary School in Berlin Free University Berlin
Government / Civil society	Civil society
Internet link	http://www.nightingale-projekt.de/
Type of initiative	Cultural activity Intercultural dialogue
Main target group	Youth (children, young people, students) Migrants [future] Teachers
Brief description (max. 1000 chars)	<p>The mentoring project Nightingale, which has been carried out at a Berlin primary school since 2005/06, brings university students in teacher training together with migrant children, aged between eight and 12, who live in a disadvantaged neighbourhood. For seven months each participating student spends one afternoon per week (about 2-3 hours) with “his/her” migrant child (e.g. cooking, going to the movies, museums or on excursions). The joint activities should help to trigger mutual learning processes: the would-be teachers gain valuable first-hand insights into the lives of migrant children and the migrant kids can improve their German skills, learn more about the society and discover new perspectives. This contributes to mutual understanding and intercultural learning. The programme is currently carried out at a primary school in Berlin, evaluated by the Free University Berlin. In 2007, 17 mentoring teams were participating in the programme in Berlin, which is financially supported within the Socrates programme of the EU. Since 2007, the same programme has been offered in Freiburg with currently 22 teams – and the long-term plan to increase this number to 100 nightingale teams.</p>

Area:	Education
Title (original language)	Unterrichtssoftware „Gegen Antisemitismus“
Title (EN)	Tuitional software “Against Anti-Semitism”
Organisation (original language)	Zentrum für Antisemitismusforschung Berlin (ZfA) Landesinstitut für Schule und Medien Berlin-Brandenburg (LISUM) American Jewish Committee (AJC)
Organisation (EN)	Centre for Research on Anti-Semitism Berlin Regional institute for schools and media Berlin-Brandenburg American Jewish Committee
Government / Civil society	Civil society
Internet link	http://www.cornelsen.de/tw/1.c.1605126.de http://zfa.kgw.tu-berlin.de/lehmaterial/gegen_antisemitismus.htm
Type of initiative	Training, education Awareness raising
Main target group	Youth (children, young people, students) Teachers
Brief description (max. 1000 chars)	<p>Within the framework of the cooperation project “Get fit for democracy and tolerance – young people deal with anti-Semitism”, the AJC, LISUM and the ZfA jointly developed the CD ROM “Against Anti-Semitism”, a software tool to be used in (secondary) schools. The CD ROM contains two main elements: (1) an informative overview section on the history and various manifestations of anti-Semitism (including several audio and movie clips) and (2) the section ‘workshop’ which offers learning material that encourage students and teachers to discuss and actively study – without the computer - different aspects of anti-Semitism. In addition, the CD ROM also contains a comprehensive encyclopaedia on anti-Semitism. The software is meant to enable students to understand and unveil anti-Semitic stereotypes, including those related to contemporary forms of anti-Semitism (e.g. the role of the Middle East conflicts). In spring 2009, the software was awarded an educational media prize.</p> <p>The project was financially supported within the ENTIMON programme, the Foundation Remembrance, Responsibility and Future (EVZ) and the publishing house Cornelsen, which also released the CD ROM for 30 EUR.</p>

Area:	Education
Title (original language)	Bayern: erhöhte Personalressourcen in Kitas mit hohem Migrantenkinderanteil
Title (EN)	Bavaria: more human/financial resources in day-care centres with a high proportion of children with migration background
Organisation (original language)	Bayerische Ministerium für Arbeit und Sozialordnung, Familie und Frauen
Organisation (EN)	Bavarian State Ministry for Labour, Social Affairs, Family and Women
Government / Civil society	Government
Internet link	http://www.stmas.bayern.de/kinderbetreuung/download/baykibig.pdf (law) http://www.stmas.bayern.de
Type of initiative	(Awards,) grants
Main target group	Youth (children, young people, students) [early childhood institution]
Brief description (max. 1000 chars)	The Bavarian State Act on the Early Childhood Education (BayKiBiG) regulates that the state provides funding to every early childhood institution (day-care, centre, pre-school, kindergarten), according to the number of children in the respective institution. (Art. 21 (1)). Based on the notion that certain children groups, among those children with a non-German family language, request more educational efforts and time than others, children whose parents both have a non-German mother tongue, are weighted with the factor 1.3 when calculation then personnel resources of the childhood institution. Thus, early childhood institutions with a high proportion of migrant children (with non-German family language) receive more funding for their personnel. Similar provisions are on place in other <i>Länder</i> .

Area:	Education
Title (original language)	Pädagogisches Zentrum FFM
Title (EN)	Educational centre FFM
Organisation (original language)	Fritz Bauer Institut Jüdisches Museum Frankfurt
Organisation (EN)	Fritz Bauer Institute Jewish Museum Frankfurt
Government / Civil society	Civil society
Internet link	http://www.paedagogisches-zentrum-ffm.de/
Type of initiative	Holocaust education Training, education
Main target group	Teachers Youth (children, young people, students)
Brief description (max. 1000 chars)	<p>In September 2009, the a new Educational Centre, jointly run by the Jewish Museum Frankfurt and the Fritz Bauer Institute, started to operate. The core aim of the Centre is to provide comprehensive insights into (1) the longstanding Jewish history and present situation of Jews in Germany and (2) the holocaust and its consequences. Both topics should be dealt with separately to overcome the often mono-dimensional view on Jewish history through the lens of the Holocaust and anti-Semitism. The Centre employs five educational experts and provides special offers for students, teachers and other educational staff (e.g. in youth work). The centre carries out further training for teachers, assists teachers and students and assists them in carrying out projects and seminar, it offers educational material and guided tours through the Jewish museum and establishes contacts to first hand witnesses of the Holocaust. The thematic coverage ranges from Jewish history in Germany and Europe and Jewish traditions to aspects of racism and contemporary forms of anti-Semitism and the Holocaust.</p> <p>The Hesse State Ministry for Education financially supports the work of the Centre with approx. 163,000 EUR per year for the personnel costs.</p>

Area:	Education
Title (original language)	Programm „Integration junger Migranten“
Title (EN)	Programme “Integration of young migrants”
Organisation (original language)	Robert Bosch Stiftung Stiftung MITARBEIT
Organisation (EN)	Robert Bosch foundation Foundation MITARBEIT
Government / Civil society	Civil society
Internet link	http://www.bosch-stiftung.de/content/language1/html/4581.asp
Type of initiative	Awards, grants
Main target group	General public Teachers [education institutions]
Brief description (max. 1000 chars)	The Robert Bosch Foundation launched the programme <i>Integration of Young Migrants</i> which has been carried out by the Foundation <i>Mitarbeit</i> since autumn 2007. The foundations calls upon educational institutions and civil society organisation, including religious groups or migrant organisations to submit proposal of innovative and creative integration projects, primarily in the field of educational and social integration, support for young migrants, promotion of active participation and joint activities of migrant and natives. Successful applicants receive up to 5,000 EUR for their project for maximum two years.

Area:	Education
Title (original language)	Junik im Sport – Interkulturelle Bildung und Qualifizierung von Jugendlichen, Multiplikatoren und Vereinsvorständen im Sport
Title (EN)	Junik [unique] in sports – intercultural education and qualification of youngsters, multipliers and club management in sports
Organisation (original language)	Landesstiftung Baden-Württemberg
Organisation (EN)	State Foundation Baden-Württemberg
Government / Civil society	Civil society
Internet link	http://www.junik-im-sport.de/cms/iwebs/default.aspx
Type of initiative	Training, education Awareness raising Intercultural dialogue
Main target group	General public
Brief description (max. 1000 chars)	In 2008, the State Foundation, together with the Württemberg state sport association (Württembergischer Landessportbund e.V.), launched the programme <i>Junik in Sports</i> and commissioned the <i>Institut für Auslandsbeziehungen</i> with its coordination. Sport associations and clubs are called upon to submit proposals on new innovative and sustainable projects that aim at promoting intercultural competence and the effective use of cultural diversity within their associations; projects that target coaches, club management or other multipliers were considered particularly important. The selected projects are supported financially and by providing other services such as training course, advice offers and supervision – up to 5,000 EUR. Some 30 sport associations submitted project proposals, six of them were selected.

Area:	Education
Title (original language)	Aktion zusammen wachsen. Bildungspatenschaften stärken, Integration fördern
Title (EN)	Campaign Growing Together. Strengthening education mentoring, fostering integration
Organisation (original language)	Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration
Organisation (EN)	Commissioner for migration, refugees and integration of the federal government
Government / Civil society	Government
Internet link	http://www.aktion-zusammen-wachsen.de/
Type of initiative	Training, education Support, advice to immigrants/minorities
Main target group	Youth (children, young people, students)
Brief description (max. 1000 chars)	<p>The governmental programme <i>Aktion Zusammen wachsen</i> was launched in May 2008 as a part of the transposition process of the National Integration Plan. It seeks to strengthen the support work of the numerous local and regional mentoring initiatives and projects that have already been set up all over Germany to help young migrants in education related issue in various ways (e.g. by offering individual tutoring, teaching German, assisting in the transition phase between school and apprenticeship). The programme facilitates and supports all these volunteer mentoring activities by providing 'targeted and sustainable services'; the five regional service offices that have been set up as contact points in Berlin, Nuremberg, Essen, Heidelberg and Hamburg, play a major role: volunteers in existing mentoring programmes and people who are interested in becoming a mentor for a young migrant are offered training courses and continuous support. A sustainable network of existing mentoring project is meant to be established; this network serves as a nationwide exchange platform for existing mentoring projects and provides assistance in establishing new ones and in encouraging more people to become volunteer mentors. Various information materials have been compiled (including an overview of all relevant mentoring projects). The programme is supported by the Federal Commissioner for Integration until the end of 2009.</p>

